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God of Judgment, God of Compassion: A Reading of The Rosh Hashanah Service

ELI REICH

THE LITURGY FOR ROSH HASHANAH DECLARES, "TODAY the world is born," but this celebratory statement is immediately qualified: "Today all creatures everywhere stand in judgment."¹ My exploration of the structure, themes and dynamics of the Rosh Hashanah Service attempts to clarify this tension between birth and judgment, which informs the juxtaposition of the Torah and Haftarah Readings, as well as the Rabbinic conceptualization exemplified in the Midrash. By reading these different parts of the Service as a whole, which possesses a coherence derived from the rabbinic shaping of the multiple voices found in the myths, prayers, commentaries, and rituals, we can retrieve the Rabbinic understanding of Rosh Hashanah that deals with this tension. The Holiday of Rosh Hashanah as we celebrate it was given decisive cultural and conceptual formation by the Rabbinic Sages in the early centuries of the common era. Taking the liturgy, Torah portion, and the Haftarah as one structure of signification makes it possible to read and interpret the Festival Service as a single cultural text.

Following the journey of the praying community we will begin with creation, pass through judgment, and conclude with repentance and redemption. According to the Midrash "the creation of the world was begun on the twenty-fifth day of the month of Elul. On Rosh Hashanah, on the first day of the month of Tishre . . . the lives of mortals are scrutinized to determine who is to have life and who is to have death." The Midrash grounds this divine practice of annual judgment of humanity in the primordial history and judgment of the first human being:

In the first hour of the Day, he came into existence as a thought in God's mind;
In the second hour, God consulted the ministering angels [as to whether He should create him];
In the third hour, God gathered up the dust from which He was to make him;
In the fourth, God kneaded the dust;
In the fifth, God joined the parts;
In the sixth, God stood Adam up as a thing yet incomplete;
In the seventh, God put the breath of life into him;

ELI REICH is a Ph.D. student in the History of Religions Program at the University of Chicago Divinity School. His area of specialization is Midrash and Rabbinic Judaism.

In the eighth, God brought him into the Garden of Eden;
 In the ninth, God gave a command;
 In the tenth, he transgressed the command given him;
 In the eleventh, he was brought to judgment;
 In the twelfth, he went forth from the Holy One's presence a free man.
 The Holy One said to him: Let the fact that you go free be a sign for your
 children. Even as you came into My presence for judgment on this
 day and went free, so will your children come into My presence on
 this day and go free.²

The Rabbis linked this theme of forgiveness to creation, when they imagine God telling every human being: "Since you came into My presence for judgment this day and go forth free, I regard you as though you had been made this very day—as though on this day I had created you as a newly made creature."³ In this model of the Day, judgment, repentance, and forgiveness re-create us. We can start the new year as if the first day of the year is also the first day of our life.

Rosh Hashanah is thus part of the moral constitution of the world. Without judgment and the possibility of spiritual regeneration, the world would be incomplete. In the language of the Midrash: "When God initially began to outline the world, it wouldn't hold, until He created Repentance, Teshuvah."⁴

Genesis 22

I turn now to the Torah portion, since the Torah is the foundational document of the Rabbinic symbolic order. The narrative we read from Genesis 22 tells of God's demand of Abraham to sacrifice his son Isaac, and God's last-minute staying of his knife-gripping hand. God informs Abraham that his response to the demand has made clear the soundness of his choice as a founding father of a nation divinely blessed and a source of blessing for others. But how did the story get into such a fix? In order to answer this question, we have to backtrack a little, as the narrative itself indicates in the beginning of the tale: "After these things." Let us rewind the story to the very Beginning.

When God created the world out of a watery chaos, He provided a quality check to the individual creations as they were brought forth.⁵ For example: "God saw that the light was good" (1:4),⁶ and "God saw all that He had made and found it very good" (1:31). He also created the human beings, in His image, as a result of which they serve as God's representative on earth. They are responsible for keeping the world in its divine, harmonious order. God gives them His blessing: "Be fertile and increase; fill the earth and master it" (1:28).

God's care for the quality of His Creation leads to a tendency to check up on His productions. Unfortunately, this makes for trouble. A few generations after the creation of the world, God "saw" the corruption of human

fertility and He therefore decides to return the world back to its pre-creation state of a watery chaos. He brings the Flood, but doesn't give up hope. He reserves a specimen of each creature on Noah's ark.

This second take on the story of creation has Noah pick up Adam's role. However, not many generations have to pass before God again looks down at the human mastery of the earth, and decides to scatter the people who built the only Tower more famous than the Sears Tower. Again He narrows down His experiment with the world, so as to increase His chances of succeeding in His goal of founding a world where the free actions of human beings build a community worthy of the divine presence.

This leads to Abraham, who is chosen to be blessed with many descendants. They will become a people entrusted with their own land and given the special task of bringing the divine presence to the world. This is the dream that God shared with Abraham—and which He threatens to shatter for Abraham, when He asks him to offer his son Isaac as a sacrifice. The whole sense of purpose in Abraham's life was centered on the divine promise of a land and children who would settle it. He doesn't realize that the whole sense of purpose which God has in the world is staked on that same vision—and that is the very reason why God needs to perform His quality check, again, before He goes ahead with the details of this realization of the divine dream for the world. God makes a preemptive strike against Abraham.

Better safe than sorry, so God decides to see what would happen to Abraham's loyalty were He to wipe out the fertility and land promised to Abraham; this amounts to a Flood recapitulated on a personal scale. After Abraham proves himself worthy of God's trust, God commits Himself to this strategy of bringing His project to a successful end.

The Haftarah: Jeremiah 31:1–19

The juxtaposition of a specific reading from the prophets after the Torah reading suggests that this text stands in an intertextual relationship to the Torah portion. I therefore propose to read the Haftarah in search of the reflection of the Torah portion, which the Rabbis might have heard when they constructed this dialogue of divine voices: the Torah and the Haftarah. Since the Torah is the base text, I assume that the Haftarah in some way functions as a commentary. The Haftarah is taken from Jeremiah 31:1–19,⁷ a collection of consolation prophecies from the end of the Babylonian captivity and the beginning of the restoration. Although this time period appears to stretch beyond that in which the historical Jeremiah lived, biblical tradition ascribed these words of comfort and utopia to the well-known prophet of doom and sorrow. In order to imagine what might have compelled the Rabbis to connect this Haftarah via midrash with the Torah reading, we need to disregard the conventional contextualization of the text, in this case the distinct literary and historical framework of this passage from Jeremiah, in a “strong”⁸ reading. We may also call this a reading

of the absent midrash on the Haftarah a bringing to light of that which is unsaid but nevertheless signified by the juxtaposition.

In the Haftarah we hear about a divine rescue in the wilderness from a threatening sword, and of the appearance of God from afar. I suggest that these fragmentary images in the Haftarah were midrashically read as a commentary on the story of the near-sacrifice of Isaac on a mountain. Taking this as a working hypothesis, I find it intriguing to hear God declare Himself as “Father” and the people of Israel as His “Firstborn.” Didn’t Isaac preface his question to Abraham, about the nature of the sacrifice, with the word “Father”? Genesis 22 makes clear that Isaac was chosen for the experiment that would prove his father’s devotion to God because he, Isaac, had recently been named the honorary first-born of Abraham. In the Haftarah Israel is thus compared to Isaac. The exile tested Israel’s devotion, as Abraham was tested by the divine request that he offer up his son. Although the experience of exile and suffering was like the binding—can we call it the virtual sacrifice?—of Isaac, God has now recognized that the unique relationship with Israel is mutually constitutive.

After we hear the voice of the Father, the Haftarah introduces the voice of the mother, in the image of Rachel, the matriarch. She is heard weeping for her children, who have been lost in the destruction of Judea and the Babylonian exile. Read intertextually, this vision may be seen as another perspective on the story of the near sacrifice of Isaac. Is this the perspective of Sarah, the mother, whose voice and response is absent from the account in Genesis? Her maternal protest in the face of the use of the son for a test would then be voiced by the figure of Rachel, her co-matriarch. But in this story, the protest is voiced and, furthermore, responded to: “Thus says the Lord: Keep your voice from tears, for your work shall be rewarded,” reminding us of God’s promise of children and land to Abraham as reward for his devotion.

Now it’s the turn of the son’s voice to be heard in the Haftarah. Ephraim, the people who had turned away from God, have been exiled, and the experience has led to inward reflection and insight. As a result, Ephraim now asks to be able to return spiritually to God. As Isaac was the son of Abraham whom he “loved,” so God now declares Ephraim to be “My precious son, My darling child.” In light of this intrinsic connection between God and Ephraim, a new understanding of prophetic judgment is needed. A strict, unilateral relationship with a God imagined in patriarchal terms is no longer possible. In order to represent the change in the image of God effected by this involvement in the dialogue with Rachel and Ephraim, the Haftarah describes God’s behavior towards the child in words strongly colored with female connotations, involving a maternal compassion, *Rachamim*, that is related to the word for womb, *rechem*. These point towards the possibility of a maternal image of God, a model of divine-human relationship where the terms of the engagement are different from those conventionally evoked by the image of God as Father or King.

The juxtaposed Haftarah produces, then, a midrashic re-reading of the Torah portion. Rather than the emphasis on judgment, now the God of maternal feeling—of mercy—emerges. Furthermore, in the Haftarah the voice of God enters into dialogue with different human voices, and the resulting modulation provokes a re-reading of the story of the binding of Isaac in the Torah.

The Rosh Hashanah Liturgy

I now turn to an interpretation of the third component of the cultural text of the Rosh Hashanah Service, the liturgy. The themes discovered so far in the Torah and its implicit rabbinic re-reading through the lens of the Haftarah will now become evident in the explicitly Rabbinic discourse of the liturgy.

Rabbinic Judaism, which formalized the juxtaposed reading of the Torah and the Haftarah, also must be credited with the basic form of the liturgy for Rosh Hashanah. In this liturgy, the twin perspectives of the judgment and compassion of God, the *Middat HaDin* and the *Middat HaRachamim*, appear as the two main characters in the drama played out during the course of the worship.⁹ Thus the themes of the Torah portion and the Haftarah are taken up in the prayers, where they are put to play in the dramatic dialogue between God and the people of Israel. This is also the drama in which we, the worshipers in the synagogue, participate on Rosh Hashanah. As the Creation, Abraham and the people of Israel have been tried, so are we tested on this day.

The main themes of the liturgy are clearly indicated by the tripartite division of the Musaf service: *Malchuyot*, *Zichronot*, and *Shofarot*, which spell out the three visions of God as the One who is sovereign, who remembers, and who redeems. These categories correspond to the themes found in the Torah portion, in the Haftarah, and in the synthesis of these readings in the rabbinic reading of Scripture.

Malchuyot is Kingship, the declaration and acceptance of the sovereignty of God over the world, the people of Israel, and individuals. Kingship is the representation of the sovereignty of the Creator in the human domain. Thus the Torah portion telling about Abraham's willingness to sacrifice Isaac signifies *Malchuyot*, Sovereignty. In this vein we read in the Torah: "The Lord is *King* throughout all time" (Exodus 15:18). This is a statement of the utopian dimension of the acceptance of God as king.

The second theme is *Zichronot*, God remembers. Here God remembers those with whom He has entered into a relationship: "*Remember* us as You remembered Noah in love . . . /when you released the flood to destroy all creatures because of their evil deeds/. . .". We pray not to be overwhelmed by the Flood of God's judgment. From the Prophets, the Haftarah verses of the affection of God for Israel is cited: "Even when I reproach him, I *remember* him with tenderness."

God is asked to appear to us in the maternal image revealed in the Haftarah. Thus even the God of the Torah portion, a God of Judgment, is appealed to in His post-Haftarah revision, as a God of Compassion: "Recall

how Abraham subdued his compassion to do your will whole-heartedly, binding his son Isaac on the altar; subdue Your wrath with Your compassion.” The God of Judgment, *Middat HaDin*, is transformed by the God of Compassion, *Middat HaRachamim*.

The third and last part, *Shofarot*, presents the God who Redeems. The sounding of the shofar signals the actual acceptance of the Sovereignty of God, which was only abstractly declared in the *Malchuyot* section. In the Bible the shofar is blown when a king is announced and acclaimed, as we read in the case of King David’s son: “The priest Zadok took the horn of oil from the Tent and anointed Solomon. They sounded the horn and all the people shouted, “Long live King Solomon!” (I Kings 1:39). The liturgy quotes from the Psalms this metaphor of sovereignty: “God has ascended with acclamation, / The Lord ascends with the shofar blast” (Psalms 47:6). Redemption is, therefore, the universal acceptance of God’s sovereignty.

This universal acclamation of God and ultimate realization of His promise to establish the people of Israel in their land is the synthesis of the God of Judgment and the God of Compassion, of the Torah portion and the Haftarah.

Some Methodological Queries

Before I continue my discussion of how the liturgy represents the character of God, I want to pause for some methodological reflections on the difference between my approach and the fascinating book recently published on this subject by Jack Miles.¹⁰ Miles tells us that two premises underlie his approach. The first is that the literary character of God allows for biographical appraisal. Here Miles articulates questions concerning the personality and development of God, modeled after those we ask about human characters. However, if the two terms “personality” and “development” are so crucial, and they underpin the whole plotting of the book, why doesn’t Miles tell us what psychological model he has in mind? Since he introduces the book by pointing out that our modern sense of conflicted individuality as a cultural ideal derives from the biblical representation of God and His “anxiety,”¹¹ one might have expected a more self-reflexive attitude towards the psychological theories backing such an endeavor.

Miles pauses briefly to note that gods may, psychologically speaking, be projections of the human personality. But what is important here is to keep in mind the critical question of the origin of the religious discourse. However, I find unduly narrow Miles’s reference only to individual psychology. Isn’t an attention to the socio-cultural dimension of religion required if we are to make sense of, in Miles’s terms, the main character, God, as the result of a collectively authored corpus written over several centuries by writers drawn from a wide range of social groups?

The historical stretch of the Hebrew Bible is seized upon by Miles for the purpose of endowing God with a psychological development. Here I

sympathize with his critique of the Bible critics who are so beholden to the criterion of historical scholarship that they are blind to the distinct character of God synthesized by the biblical authors from diverse religious traditions and literatures. Nevertheless, to suggest that religion “may be seen as literature that has succeeded beyond any writer’s wildest dreams,” in that no other character “has ever had the reception that God has had,”¹² may run the risk of distorting our understanding of the representation of God, its reception and its implied cause, in the Tanach. Let me clarify this point by broadening the scope of the problem.

We moderns may very well look back and see the rich reception of the divine character in the Western arts, and from there ground the source of that perception in the aesthetic qualities of the Tanach. From a historical perspective we will have to add that, in their source as well as their reception, religion and its socio-cultural embedding provide the overarching framework for the interpretation of this character.

Miles starts out by mentioning the religious reception of the character of God in medieval piety, where *Imitatio Dei* and *Imitatio Christi* were common ideals. But this cultural context is soon dropped. He writes that not being a historian frees him from focusing “on the successive Israelite and Jewish communities that believed in God.”¹³ But the question of the socio-cultural context for the biblical development of the character of God is of course part and parcel of the very interpretation of that character and points to the difficulty of disengaging the literary enterprise from a social reading of the literature.

Ultimately, this line of argument may lead us to question the very category of literature and not just for an interpretation of the Hebrew Bible and its reception in Jewish and Christian exegesis. Perhaps we should not even analytically separate that textualization of narratives, system of beliefs, and practices, which we conventionally label “literature,” from its implication in the ongoing process of culture. The focus would then shift from the “text” to its specific social, cultural, and political determinations.¹⁴

The second premise of Miles’s study is that a “strictly sequential reading of the Hebrew Bible is a way to recover the . . . character development” of God; and the order of the canon of the Hebrew Bible is crucial for this project. In his discussion of this premise Miles later admits that the “character of the Hebrew Bible / Old Testament is such . . . that the collection can be taken apart and put together in more than one way.” The corollary of this admission for his project is obvious: “The same necessarily goes for the character of God as its protagonist.” One of his answers to this difficulty is to claim that, “even at moments when literary intent is questionable, literary effect is undeniable.”¹⁵

But whose effect is registered? Isn’t Miles dealing primarily with the solitary modern reader, whose aesthetic orientation and psychological sensitivity construct the biblical text in a historically very specific and subjective manner?

The Rabbinic Midrash

I propose by contrast to focus on the effect of the text upon the communal reception central to Rabbinic Judaism. The yearly cycle of the Reading of the Torah and the liturgies of the Festivals provide us with an alternative structure for ordering our reading.¹⁶ The Rabbinic corpus of Midrash provides the ideological subtext assumed by these collectively recited receptions of the Hebrew Bible.

The Sages who produced this cultural text lived in a period and place where the ambiguity of the divine promises to Abraham and the divine promise of compassion towards those who truly turn to God threatened the coherence of their symbolic order. In the Midrash these questionings are raised within the framework of their interpretation of Rosh Hashanah. Although Midrash is conventionally glossed as the biblical exegesis practiced by the Rabbis, I think we need to add that, in light of these engaged readings of the Bible by the Rabbis, Midrash is also a form of social discourse.¹⁷

One such midrash is constructed as an insertion in the biblical narrative that takes place right after God has halted the sacrifice of Isaac and sworn to reward Abraham. The following imagined dialogue from *Midrash Tanchuma* represents the Rabbinic struggle with the perceived discrepancy between the divine promises and the contemporary reality in which they lived:

Abraham: So now you have sworn! But I have also sworn that I am not coming down from this altar until I say everything that I must.

God: Say everything you must.

Abraham: Did you not tell me that what you would raise up from me would completely fill up the world? . . .

God: Yes.

Abraham: From whom?

God: From Isaac.

Abraham: And did you not tell me that you would multiply my children like the dust? . . .

God: Yes.

Abraham: From whom?

God: From Isaac.

Abraham: I had the right to deny your request but didn't say anything to you, O Sovereign of the World. Only yesterday You said "For in Isaac shall seed be summoned for you"; but now You are saying "And offer him there as a burnt offering"! Yet I suppressed my urge and did not talk back to You. Just as I have acted in this, You also, when Isaac's children sin against you and find themselves in trouble, remember on their behalf the binding of their father Isaac. Forgive them, and redeem them from their distress.

God: You have had your say; I will also have mine. Your children are going to be sinful and I am going to judge them on Rosh Hashanah. However, if they ask me to forgive them, let them blow a shofar before me on that day.

Abraham: What is a shofar?

God: Don't you know?

Abraham: No.

God: Turn around and look!

Then, as we read in the Torah, "Abraham lifted his eyes to look and there was a ram behind him caught in a thicket *on his horns*" (Genesis 22:13).

God: They will blow on a horn before me, and I will forgive their sins.¹⁸

Thus the shofar made out of a ram's horn reminds God of the merit of Abraham and Isaac. But according to the Rabbis, it also reminds Him of His promise to bless Abraham. The shofar therefore persuades God, according to another midrash,¹⁹ to undergo a spiritual transformation from a God of Judgment, of *Middat HaDin*, to a God of Compassion, of *Middat HaRachamim*.

This compassion is exemplified in the midrash that tells of God's participation in the Halachic determination of the calendar, when Rosh Hashanah, the New Year, approaches. Then God leaves His councilors in heaven and comes down to this world, shrinking His presence to earthly dimensions. Thereupon the ministering angels say, "What a mighty One, what a mighty One! What a God, what a God! . . . Why this descent to earth? So that if the five sages fail in the matter [of determining the calendar], the Holy One will illuminate their mind with the true Halacha."²⁰ The human legal process needed for the construction of sacred time is here accorded the dignity of the Divine Presence.

A Communicative Theology

How can we summarize the theology uncovered in this reading of the Rosh Hashanah service? This Rabbinic theology would today perhaps be called a communicative theology: it is a theology wherein the relationship of God and humanity is constituted by a mutual recognition through discourse and communicative action. The Festival service pays attention not only to the general rights of God, but also to the specific needs of Israel. In later, mystical elaborations of midrashic literature, attention will even be given to the specific needs of God. A sixteenth-century compendium of Kabbalah states, "The coming of man into this world is for the sake of God, to repair the Glory, and this can only be achieved by the Study of the Torah and the practice of its commandments, and the avoidance of its prohibited practices. . . . But if man does not achieve this perfection, and transgressed the Torah, then he causes cutting-down and division in the Divine Unity, and dis-figures his divine nature."²¹

At this point in the spiritual history of the world the motif of our Festival Service, Repentance, is revealed in its primordial role. The midrashic motif of the constitutive function of Repentance in the act of Creation, which I cited at the beginning of this essay, is here reinterpreted from within the mystical myth

of the human responsibility for the redemption of God: "Repentance is the foundation of the world and its existence. . . . When God began creating the world, He engraved the world, but it couldn't stand, because the wicked will in the future corrupt their behavior and by their corruption cause the destruction of the transcendent structures. How then can the world be secured in its foundation? God saw in His wondrous wisdom the perfection for this and created Repentance, *Teshuvah*. . . which has to be a return/repentance out of love. Thus, the purpose of the Torah and its commandments is the unification of His Name in its Glory, which is the same as the repair of the Glory for the sake of God, and this is achieved by spiritual returning."²²

According to this view, the creation of the world is an ongoing process of spiritual and practical struggle for perfection. This process is defined by the communicative interaction of God and humanity for the purpose of mutual perfection. The world is the site where the human contribution towards redemption takes place—that is the deeper meaning of the Rabbinic concept of repentance. The consummation of this process, called "the kingship of God" in the liturgy, is projected as its utopian goal. Until this goal is realized, this utopian vision serves as a critique of the condition of our spiritual and social life.

The history of the relationship between God and Israel traced in the movement from the Torah to the Haftarah, and further elaborated in the Rosh Hashanah liturgy, can serve as an ideal model for our intersubjective relationships. It is an example against which we can measure ourselves. The structure of this prayer-service challenges us to move from the theoretical part, wherein we study the paradigmatic narrative models of the divine-human relationship, to the practical part, wherein we are entrusted with prayers that are meant to engage *us* in a similar relationship. The reconciliation of God and Israel, in their mutual recognition of shared interests and specific needs, teaches us how to make *Teshuvah*, how to return to an authentic relation with others as well as with God. The prayers provoke us to find the application of this lesson in our own lives—and then to get down to the work of redemption.

NOTES

I dedicate this essay in love and gratitude to my Mother and Father, who first taught me, by example, what it means to be Jewish, and who have faithfully supported my long quest for Torah.

1. *Machzor for Rosh Hashanah and Yom Kippur*, edited by Jules Harlow (New York: The Rabbinical Assembly, 1972), p. 270. Henceforth cited as *Machzor*.

2. *Pesikta de Rav Kahana: R. Kahana's Compilation of Discourses for Sabbaths and Festival Days*, translated by W. Braude and I. Kapstein (Philadelphia: Jewish Publication Society, 1975), Piska 23:1.

3. *Pesikta de Rav Kahana*, 23:12.

4. *Pirke de Rabbi Eliezer*, translated by G. Friedlander (New York: Hermon Press, 1965), ch. 3, p. 10.

5. I develop here an insight from Eliezer Schweid, *Sefer Machzor Hazemanim* (Tel Aviv: Am Oved, 1984).

6. I quote from *Tanach: The New JPS Translation according to the Traditional Hebrew Text* (Philadelphia: Jewish Publication Society, 1985).
7. For an overall critical reading of these passages, see Robert P Carroll, *Jeremiah: A Commentary* (Philadelphia: Westminster Press, 1986).
8. I borrow the term from the literary critic Harold Bloom, who uses it to refer to the successful reading produced by the struggle of a reader/writer with a text which is authoritative for her.
9. For a discussion of these terms, see Ephraim Urbach, *The Sages: Their Concepts and Beliefs*, translated by I. Abrahams (Cambridge: Harvard University Press, 1987).
10. Jack Miles, *God: A Biography* (New York: Alfred A. Knopf, 1995). See also the review by Gildas Hamel in *JUDAISM*, Summer 1996: 376–383.
11. *God: A Biography*, p. 6.
12. *God: A Biography*, pp. 4–5.
13. *God: A Biography*, pp. 3, 10.
14. I draw here on the discussion in Tony Bennett, *Formalism and Marxism* (London: Methuen, 1979), pp. 156–168. This is the approach that I will try to exemplify below in my interpretation of the liturgy.
15. *God: A Biography*, pp. 12–19.
16. Miles notes, towards the end of the book, that “Judaism, the religion that edited the books into this order, moves, in the cycle of its religious holidays, through an endlessly recurring rehearsal of Israelite history” (p. 393). But he doesn’t draw from this the point I am suggesting, i.e., that the character of God is also implicated in this mode of reading. My reading of the service of the Day proposes that the absent midrash links the different parts of the readings in a particular way. I here make use of a major point made by Pierre Macherey in his critique of conventional literary criticism: “the work exists above all by its determinate absences, by what it does not say, in its relation to what it is not,” *A Theory of Literary Production*, translated by G. Wall (New York: Routledge, 1989), p. 154. This absent midrash is grounded in the specific historical situation in which the production of the cultural form and ideology of the Service took place.
17. I borrow the expression from Roger Fowler, *Linguistic Criticism* (Oxford: Oxford University Press, 1986), who suggests viewing “literature as social discourse” (p. 168), which is also the title of his collection of studies from 1981.
18. I have adapted the translation of *Midrash Tanchuma*, vol. I, Genesis, (S. Buber recension), translated by J. T. Townsend (Hoboken, NJ: Ktav Publishing House, 1989), to bring it closer to the dramatic dialogue of the Hebrew original.
19. Pesikta deRav Kahana 23:3.
20. Pesikta deRav Kahana 23:4.
21. From Part II: “Service,” chapters 33–36 of Meir ibn Gabbai’s *Avodat Hakodesh* (“The Sacred Service”), 1531 (my translation).
22. *Ibid.*, 1531.

LEORA B. SMITH

My Yom Kippur Prayer

Heed the sound of the shofar:
Bless my family with this New Year.

O God your voice makes me tremble,
I am whispering
Bless my family with this happy New Year.

Heed the sound of the shofar:
Let me tremble, not with fear
Bless my family with this healthy New Year.

O God your voice trembles in my ear,
When that T'keyah G'dolah sounds this year
Please bless my family this New Year.

LEORA B. SMITH, *whose poems appeared in the Fall 1994 and Spring 1996 issues, received her Ph.D. from the University of Chicago in cellular physiology (1992). She has studied poetry with Dan Pagis and Yehuda Amichai, and her poetry has been included in an anthology, Without a Single Answer: Poems on Contemporary Israel, edited by Elaine Starkman and Leah Schweitzer (1990). She has published several papers in professional biological journals, and teaches hands-on science to teachers in Chicago, where she lives with her husband and two children.*

From Peshat to Derash and Back Again: Talmud for the Modern Religious Jew

P E T E R O C H S

THE EMERGING FOCUS OF CONTEMPORARY AMERICAN

Jewish thought is . . . the Talmud! Two reasons come to mind for what may, in this age of postmodernism, seem like a surprising turn to traditional sources. The immediate reason is that this remains an age of destruction for the people Israel, and there are precedents from the first and second centuries for Israel's reclaiming herself from the ashes by turning to the *torah she b'al peh*, the Oral Torah. In an age like this, the literal sense of history is too bleak to warrant hope and stimulate renewed life; the interpreted sense is more promising, and the model for how to reinterpret what life gives belongs to the Mishnah and Talmud of a distant past.

The turn to Oral Torah is also due to the widening realization that the regnant ideologies of the modern west have lost their hegemony in the past century—and the academic Jews who compose and promote “Jewish thought” belong to the modern west as well as to the people Israel. These Jews had sought to understand Judaism through the methods of modern historiography and philosophy, underwritten by the great modern paradigms of natural science and liberal humanism. To know Judaism was to study the texts and lives of the Jews the way one studies other phenomena of the natural world, and this knowledge was supposed to remove superstition, ignorance, and bigotry, and bring clarity of perception and depth of understanding. The social sciences were supposed to disclose what we believed and how we behaved; historiography was supposed to describe what happened to us as a result; and philosophy was supposed to offer us tools for refashioning our beliefs in response to our experiences. The experiment, however, did not succeed. As Eugene Borowitz recounts, “Modernity, which once had a sense of historical inevitability about it, lost its cultural preeminence during the late third of the twentieth century. . . . Every institution we had expected to nurture character . . . has shown itself equally capable of corrupting it. . . . So, too, our faith in high humanism failed us . . . [Immanuel Kant's modern] conception of humankind as rational, and therefore intrinsically committed to universal ethical obligation, barely survived the incredible carnage of

PETER OCHS is *Edgar M. Bronfman Professor of Modern Jewish Thought at the University of Virginia and founder of Textual Reasoning: Electronic Journal of the Postmodern Jewish Philosophy Network*. His books include *The Return to Scripture in Judaism and Christianity* and the just published *Peirce, Pragmatism, and the Logic of Scripture*.

World War I [let alone what followed].”¹ Like others nurtured in the western ideals of reason, Jewish thinkers in this half-century began to lose their faith in the self-sufficiency of the modern arts and sciences: history and social science seemed only to redescribe a world from whose unhappiness they sought some relief; and philosophy seemed to describe new worlds of which it had no actual experience.

Searching for wisdom traditions that are neither ignorant of the actual burdens of their particular world, nor impotent to do something about them, these thinkers have found themselves, to their own surprise, reconsidering classic Jewish sources their forebears had abandoned, the Talmud, in particular. In the Mishnah and Gemara, they have once more found for themselves, their students, and an expanding public, a source book not only on how to encounter this world in its plain-sense, but also on how to do something about it. For the general Jewish public, one of the most powerful teachers of Talmud for this age has been Adin Steinsaltz; for the academic community, one of the most powerful scholars of talmudic literature has been David Halivni.

Judaism as Plain-sense: The Steinsaltz Talmud

In a remarkable career, Adin Steinsaltz has turned his genius for Jewish learning to the task of popular education, re-clothing the second generation after Shoa—this most assimilated generation—in the dress of traditional Talmudic learning and its attendant spirituality. Through his Hebrew translations and commentaries on Mishnah and Gemara, his studies of the Kabbalah and Jewish spirituality, and through public projects of Torah learning, he has generated a pedagogic movement of massive proportions. To thousands of Jews for whom the torah *she-b'al peh* was an arcane mystery, he has demonstrated that Yes you *can* read this, as you read other sources of knowledge: you *can* learn. He has helped generate a movement of affirmation, clarification, and in that sense, domestication of a talmudic heritage that was too distant, but has now become approachable.

Appropriate to the population it serves, this has been a project of rendering the Talmud plainly. To bring the plain-sense to English-speaking readers, Random House has, over the past several years, begun to publish elegant volumes of the Steinsaltz commentaries in English, ably translated and edited by Rabbi Israel Berman. Rabbi Berman notes that the English edition has been adapted and “designed to meet the needs of advanced students capable of studying from standard Talmud editions, as well as of beginners, who know little or no Hebrew and have had no prior training in studying the Talmud.”² These editions print around the original text both a “literal translation” into English and a translation and expansion of Steinsaltz’s “translation and commentary.” There is also Rashi’s commentary and the various notes. The latest English volume to appear, number XIV in the series, is Part II of *Tractate Ta’anit*: studies of the prayer offerings on public fast days declared primarily in response to drought (ch. 2), of fasts offered for special cases of

drought and for other calamities (ch. 3), and of fixed public fast days, including practices of the *ma'amad*, or local representatives of the people Israel present for the Temple services. The Tractate is noteworthy, in particular, for its discussion of prayer and ritual practices that sanctify the people in the face of calamity and for its narration of a rich collection of associated anecdotes "describing the prayers offered by the righteous during periods of distress," serving in this way, according to the editors, "as a spiritual guide through difficult times."³ There are, for example, the *ma'asiot* (anecdotes) of Naham of Gam Zu (so called "because whatever happened to him he would say, 'this too [*gam zu*] is for the best'") and a series of *ma'asiot* like this one:

Rabbi Hama bar Hanina decreed a fast but rain did not come. They [his townsmen] said to him: "But surely Rabbi Yehoshua ben Levi decreed a fast, and rain came!" He said to them: "This is I, that was the son of Levi!" They said to him: "Let us go and concentrate our minds. Perhaps the community will break their hearts, so that rain will come." They petitioned for mercy, but rain did not come. He said to them: "Is it pleasing to you that rain should come for our sake?" They said to him: "Yes." He said: "Heaven, Heaven, cover your face [with clouds, so that rain may fall]!" It did not cover itself. He said: "How brazen is the face of heaven!" It covered itself, and rain came.⁴

The way Steinsaltz succeeds is to offer word-for-word translation and spell out a single, strong reading of the passage as a whole. He summarizes the main arguments of each *sugya* (lesson) to illustrate pivotal concepts, traditions, and practices, and to present it all on the single page, with an appropriate shape and feel. It is offered with the benefit of broad Talmud study, but without the academic jargon, the footnotes, and the outer casing of secularity that accompany the modern western academic voice. Steinsaltz offers Religion and through it Hope in an age of disillusionment with the conceptual alternatives to religion and with the unadorned plainness of mass culture. This is, moreover, both non-universalistic and non-obscurantist religion: classical Jewish tradition in its plain sense. It is non-universalistic in the sense that it is not reduced to western categories nor stretched to fit the imagined needs of all people for all time. The Talmud comes here in a plain wrapper, without the hyperbolic embellishments of some other apologetic works, but with *all* the wonders, poetry, and wisdom that speak through the plain sense of the Talmud.

Or almost all. This is a teaching, after all, of the Oral Torah, and the genius of the "dual torah" as Jacob Neusner aptly calls it, is its non-literality, or not just plain-sense. It is not embellishment (no Hellenic fables or fill-ins), not flights of allegory, not philosophy in the modern western sense, not ideological enthusiasm, and not mere esoterica, but it is nonetheless much more than meets the eye. It responds to and out of what, in some depth, is not all right just the way it is. Steinsaltz-Berman's literal translations help the English reader see this Oral Torah, but their interpretations and notes do not help the reader *hear* the orality of this Torah: that is to say the way that it struggles through questions, arguments, speculations, and dialogue, to re-

spond to what remains troubling in the written Torah and the written text. For a people in need of more than meets the eye, and thus in need of the God who promises “to be with them in affliction” (Psalms 91:15) and to “be afflicted when they are afflicted” (Isaiah 63:9),⁵ the Steinsaltz Talmud reveals the hidden word of this God who will come to them, but then veils the word, again, under the cover of its very visibility. To serve “as a spiritual guide through difficult times,” this Talmud straightens out its own textual and even spiritual difficulties to deliver relatively clear lessons, stories, histories, and *halakhot*. This can be a great way to start studying: to get an initial sense of the text and lay the groundwork for more careful reflection, without spending much start-up time going through dictionaries and secondary sources with teachers or study partners. At a recent event of the National Jewish Center for Learning and Leadership (CLAL), I shared my concerns with Schechter High School student Jennifer Labenz and Princeton undergraduate Daniel Schwartz. They both reassured me that the Steinsaltz editions (for them, the Hebrew ones) were simply a wonderful aid to initial study, to get the *peshat* before sitting down with *chevrutot* to plumb the depths. I acknowledged their point, while also noting that they both had Hebrew day-school backgrounds and were here attending a CLAL event: what about those without such sophistication?

The problem comes when these teaching aids are both the beginning and end of study: not because *kedushah* (holiness) somehow inheres in source hunting, but because it inheres, in part, in the reader’s learning how to come to the aid of the text. It is worth noting that, after *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis*,⁶ David Weiss Halivni’s next book will be *Revelation Restored*.⁷ In it, he argues that the *kedushah* of Torah inheres in the maculateness, or *imperfection*, of the written word, not its perfection. In fact, it is through its imperfection that Torah draws the reader into the restorative activity of interpretation, or *derasha*, which binds reader, God, and Torah together. Readers who rely on the straightforwardness and positive spin of the Steinsaltz series may not share sufficiently in this relationship, nor gain from it a capacity to respond actively to the difficulties that may have prompted them, in the first place, to return to the Talmud.

By way of illustration, I could cite any page of the Steinsaltz edition, since the potential limitations of the edition are also its strength: for each page of “Translation and Commentary,” Steinsaltz and Rabbi Berman select from the various readings offered by the *rishonim* (first commentators) some one narrative approach that enables the Gemara to make its most clear-cut, untroubled statement of rabbinic practice. For example, in 17a, the Gemara debates the Mishnah’s statement that “members of the *mishmar* and members of the *ma’amad* are forbidden to cut their hair or wash their clothes.” According to the Steinsaltz commentary, “Corresponding to each of the [twenty-four priestly] *mishmarot* (“watches”) was a group of non-priests called a *ma’amad* (a “post” or a “division”). The entire Jewish people living in Eretz

Israel was divided into twenty-four *ma'amadot*. Each time a *mishmar* went to Jerusalem to serve in the Temple, part of the corresponding *ma'amad* would go there as well and would represent the entire people when the communal sacrifices were offered." They were forbidden to cut hair or launder clothes "throughout the week of the service, so that they will . . . [do this] before they begin their service and not arrive for duty in soiled clothing and untrimmed hair." Here the commentary follows the plain-sense of both the Gemara and of its sense of historical practice, consistent with both Rashi's and Rambam's commentaries. The Gemara examines this ruling, further, through a series of *gezerot shavah* (analogies). According to Numbers 6:5, a Nazir may not cut his "locks" (*pera*) for thirty days; according to Ezekiel 44:20, a priest may not cut his "locks." Since the same term (*pera*) appears in both cases, we may conclude that the thirty days that applies to one also applies to the other. In the Gemara, Rav Pappa objects that Ezekiel may mean that the priests should always cut their locks, and not just for thirty days. Abaye cites another verse to defend the initial analogy. The Gemara then objects: "if so, even nowadays too!" The Steinsaltz commentary fills in the Gemara's reasoning: "If it is true that the priest's obligation to cut his hair at least once in thirty days is derived from the Bible, then even nowadays, when there is no Temple, priests should be obligated to have their hair cut at least once a month! Why are priests not concerned nowadays about the prohibition? . . ." The Gemara responds with a remarkable series of analogical reasonings that raises questions both about historical practice and about the rules for rabbinic interpretation (*derasha*). I will summarize enough of the reasoning to warrant some observations about the way Steinsaltz interprets them.

According to Ezekiel 44:21, "No priest shall drink wine when he enters the inner court." The Gemara reasons that, since this verse links the prohibition to the time of entering the Temple, we may assume the previous verse links its prohibition against hair cutting to the same time. Steinsaltz explains: this teaches that both prohibitions apply "only when the Temple is standing"; since it is not standing in the [rabbis'] present time, the priests need not then be concerned by the prohibition. The Gemara objects: in a Baraita introduced earlier, "Rabbi [Yahuda Hanasi] says: I say: Priests are forever forbidden to drink wine. But what can I do? For his [the priest's] remedy is its [the Temple's] ruin." Steinsaltz explains: Rabbi Yehuda Hanasi reasons that, "if we are concerned that the rebuilding of the Temple may take place very soon, then all 'priests should forever be forbidden to drink wine. But what can I do?' The extended period of time that the Temple has remained in ruins works to the priests' advantage. Since so many years have passed without the Temple being rebuilt, we need not take into consideration the possibility that this may speedily occur. Hence there are no restrictions on priests nowadays regarding the drinking of wine." The Gemara then reasons that the rabbis who disagree with Rabbi Yehuda Hanasi prohibit the priests' wine-drinking on the basis, not of Scripture, but of a rabbinic ruling that the Temple will speedily be rebuilt

and that the priests must therefore remain fit. With respect to this majority opinion in the Mishnah, the Gemara then examines practical reasons why the wine-prohibition need not extend to haircutting, and exegetical reasons why the penalty for wine-drinking—disqualification of service—does not apply to haircutting. After some discussion, the Gemara concludes that there is one case where analogous reasoning holds—just as priests who drink wine are punished with death at the hand of Heaven [Leviticus 10:], so too those who do not cut their hair [Ezekiel]—and one case where it does not hold—wine-drinkers are disqualified from service, but long-haired priests are not, since *the analogy with Leviticus 10 applied only to the case it made explicit, which is death at the hand of Heaven* (cf. Tos., Sanh. 22b). Then comes the climax of the *sugya*:

Ravina said to Rav Ashi: Before Ezekiel came, who said this? He said to him: According to your opinion, [there would be a difficulty with] what Rav Hisda said: This matter we did not learn from the Torah of Moses, but we learned it from the words of the Prophets [*kabbalah*, lit., “tradition”]: “Any stranger, uncircumcised in heart, or uncircumcised in flesh, shall not enter My sanctuary.” Before Ezekiel came, who said this? Rather it was learned as a tradition, and Ezekiel came and supported it with a verse. Here, too, it was learned as a tradition, and Ezekiel came and supported it with a verse. When they learned the law, it was with regard to the death penalty. Regarding the disqualification of service they did not learn it.⁸

Steinsaltz explains that the hair prohibition was based in Ezekiel, not the Torah; Ravina objects that, if so, “surely a Prophet is not authorized to issue new laws that were not mentioned in the Torah!” R. Ashi’s response is that the same objection could be raised to Ravina: “Surely these regulations [circumcised priests] cannot be based solely on the verses in Ezekiel, because a Prophet does not have the authority to promulgate new laws on his own initiative! Rather, continued Rav Ashi, you are forced to the conclusion that until the days of Ezekiel this matter was accepted as an oral tradition going back to the giving of the Torah on Mount Sinai, just like the rest of the Oral Law, and then Ezekiel came and supported the oral tradition with a written verse.”

For the body of this *sugya*, Steinsaltz’s commentary and notes smooth out tensions raised by the text or the *rishonim*: confronted neither with persistently vague passages *nor* ambiguous halakhic or hermeneutical issues, readers are offered a relatively untroubled reading of the text as a window into a world of pious practice. For the climax of the *sugya*, Steinsaltz’s notes offer some insight into the hermeneutical challenges of the Gemara’s claims about the rabbis’ oral law. By way of “Background” to the phrase “Ezekiel came and supported it with a verse,” Steinsaltz notes that “some commentators have understood this expression to mean that the Prophet Ezekiel found some proof in the Torah to serve as the basis for an oral tradition. Others have explained that Ezekiel did not issue this Halakhic ruling as an act of prophecy. . . . Rather these teachings were supported by an oral tradition, and Ezekiel included them within a prophecy. Thus the Bible merely provides support for an oral tradition.” The

Steinsaltz Edition does not, however, ponder the more dramatic, hermeneutical implications of these words. Consider, for example, the following levels of reflection, and then speculation, any one of which could be offered to readers who want to read the Gemara as a display of rabbinic methods of interpretation, that is of hermeneutics, and not simply a discussion of practical law.

On an initial level of interpretation, the *sugya* examines several ways in which the rabbis learn lessons from Scripture and from history: these are modes of rabbinic reasoning beyond the limits of the plain-sense. The primary topic is reasoning by analogy. Early on in the *sugya* we learn that the rabbis reason beyond the plain-sense by drawing analogies between one verse of Scripture and another (Ezekiel and Numbers); and we then learn that there are limits to how this method is practiced, for the analogy between Ezekiel and Leviticus does not apply to disqualification. In the process, we also learn that there are limits to what the method can do. In a case where the analogy is either not obvious or not adopted, we see that the criterion for drawing analogies lies, in the end, in the mind of the analogy-makers, the rabbis. This suggests another level of interpretive activity.

If analogies are proposed by the rabbis—within the limits of plain-sense, but not simply dictated by it—then what authorizes the analogies and the legislations that may follow from them: in this case, the ruling that priests who do not cut their hair will die at the hand of Heaven? The *sugya* offers a few possibilities. The analogy may be governed by formal rules, for example, the rabbinic rule, noted by Steinsaltz (following Tosafot Sanhedrin 22b), that “there is no such thing as half an analogy”; this is the view of those who say that disqualification as well as death applies to long-haired priests. But the majority opinion in the Gemara rejects this view and therefore the principle behind it.⁹ If not governed strictly by formal rules, might the analogy be revealed prophetically: is it a revealed reasoning? This is Ravina’s rhetorical question, and it is disturbing, since it would reopen the sources of the canon. Rav Ashi’s answer appears to be that the analogy has a parallel source at Sinai, in the oral Torah; Scriptural passages are therefore cited only after the fact, as evidence (*asmachto*), to show how the tradition fits into the coherent world of the plain-sense.

We arrive at what may be a third level of more speculative hermeneutical reflection. What does the discussion of Ezekiel reveal about how the rabbis understand their own interpretive activity? We have seen how different halakhic rulings may result from different hermeneutical principles, but, beyond this, the hermeneutics, for example of R. Ashi, may be prefigured in Ezekiel’s reading of the oral tradition. This may indicate that the *amoraim*, in particular the school of R. Ashi, draw analogies between their work and that of Ezekiel: both claim to receive the oral Torah and both perform the creative activities of reading it into the written Torah (as evidence or support) and of applying those traditions to issues in rabbinic practice as halakhah. The activity is creative, because, as we have seen, analogies must be proposed by the reader, rather than dictated by the *peshat* of the text or, for that matter, of history. Historical setting does set the

context for drawing the analogy, however, and there are parallels here as well. Both Ezekiel and the rabbinic sages live in times of exile after the Temple is destroyed: “times to work for the Lord” (*et laasot lashem*, according to the last Mishnah in *Masechet Berachot*), in which the plain-sense of history and of text no longer suffice to give hope or guidance and in which *derash* must join *peshat* if Israel is to live beyond the burdens of her present world.

The central halakhic issue of the *sugya* belongs to this historical setting: the time after the Destruction, when both priests and the representatives of *klal yisroel* who serve with them either might or might not continue to observe the responsibilities and obligations of the priesthood and *ma’amadot* before the Destruction. We learn that both of them uphold their responsibilities and stand ready, even though the rebuilding seems indefinitely delayed, and they also retain most of their obligations (only the rules governing hair are somewhat relaxed). Are there lessons to be drawn here about the rabbis themselves? By taking on Ezekiel’s license to make public what belongs to the oral Torah and to reason creatively about how this Torah is supported by the written one, the rabbis appear, in this time after Destruction, to take on the priestly functions of interpreting and displaying how the written Torah’s injunction to “be holy as I am holy” is enacted in this world. With the license to “be as priests,” however, the rabbis also accept priestly obligations: like the *ma’amadot*, we may assume, they will also comport themselves as if they were about to enter the inner Temple, accepting only those permissions that are extended now also to priests.

For those who entertain this speculative analogy, the lesson should be clear: *for the rabbis, the privilege of hermeneutical license comes with the responsibilities of halakhic observance.* While rendering the rabbis’ halakhot into plain English, the Steinsaltz Edition tends not to disclose as plainly the hermeneutical adventure that may accompany the halakha. For new readers who turn to the Talmud as religious guide for a time of distress, the Edition might therefore reinforce the modern presumption that strict observance and straightforward exegesis go hand-in-hand in rabbinic religion, so that the clear choice is between liberal practice and hermeneutical freedom on the one hand, or halakhic stringency and obedient reading on the other. In *Peshat and Derash*, Halivni challenges this presumption, providing arguments and rabbinic proof-texts on behalf of his own, third choice: correlating hermeneutical freedom with halakhic stringency.

Judaism as Plain-sense and Interpreted Meaning: Halivni’s Talmudic Theology

Lucius N. Littauer Professor of Classical Jewish Civilization at Columbia University, co-founder and rector of the Institute of Traditional Judaism in Teaneck, New Jersey, and former head of the Talmud Department of the Jewish Theological Seminary, David Halivni may be this century’s most innovative Talmudist. Until his recent project of writing theological and

hermeneutical studies in English, Halivni was widely known only among sophisticated readers of his ongoing magnum opus, *Mekorot uMesorot*.¹⁰

For nonspecialists in Talmud, this central corpus of Halivni's work is not easily accessible: a highly technical, wondrous play of speculative reconstructions of the text's history of redaction. He has, following a brilliant hypothesis, reconstructed the redactional history of the Babylonian Talmud and, on the basis of that reconstruction, set out to resolve otherwise intractable problems in various Talmudic *sugyot*. His major contribution is his thesis that the structure of the *sugya* and "the anonymous, or *setam*, portions of the Talmud were the product of a particularly fertile and creative period after Ravina and Rav Ashi and during the years 427–501 C.E."¹¹ He also reconstructs a detailed series of developments in Tannaitic, Amoraic, and post-Amoraic argumentation and literary form. And, to resolve problematic *sugyot*, he speculates how the possession of a given textual variant or the lack thereof could have led a redactor to force, misplace, or misrepresent a given argument.

Halivni's judgments about the character and etiology of certain *sugyot* are analogous to judgments art historians make about the etiology of newly discovered paintings. The judgments depend, in the end, on both cognitive powers and emotive-spiritual energies: vast and intimate familiarity with the rabbinic literary corpus and a heart enflamed by love of God, love of revealed *torah she-bikhtav* and equal love of oral *torah she b'al peh*. There is, finally, a profound sense of responsibility to correct textual error and thus restore the plain-sense: as if the rabbinic literary corpus constituted the creation itself, as if that creation were broken, and as if those few with the power to mend the creation must do so at once. In *Peshat and Derash*, Halivni introduces a broader public to his hermeneutics of mending, an effort to integrate strict religiosity with hermeneutical freedom.

Halivni's effort is signaled by his comments on our *sugya* from *Ta'anit*:

With respect to the halakha, the period between Moses and Ezra, that is, the period of the prophets, is bracketed, as it were—suspended between the receiving and the accepting of the Torah, without much halakhic force of its own. "The law was known from before, from Moses; the prophets merely gave it a scriptural basis" [b. *Ta'anit* 17b, with parallels in *Sanhedrin* 22b, *Yoma* 71b, etc.]. . . . With respect to exegesis as well, that period is bracketed. The meaning of the Bible is to be perceived according to the understanding of those who lived subsequent to the completion of revelation. Their meaning may appear to us as forced. . . . Yet our awareness that it may be forced should have no decisive influence. . . . What counts is the post-revelatory inspiration that infused its recipients with a sense of harmony. Being the first people to accept fully the Torah, their understanding concurred with the divine will, and as such cannot be compared to the human verity as manifested by majority rule.¹²

Halivni divides his book into separate sections of "scholarship" (historiography of the plain sense) and "theology" (reflections on the meaning of this historiography), and these comments belong to the latter: We pass from the

plain sense of the Gemara through several levels of textual interpretation. Midrash Halakha is deployed by Halivni to bridge these divisions, in a powerful semantic activity that is both theological and scholarly. Its importance can only be grasped in the details of its action, to which I now turn.

On the first level, Halivni's comments on the end of our *sugya* coincide with Steinsaltz's (following the *Tosafot's* reading in *Sanhedrin* 22b): Rav Ashi explains that Ezekiel received his halakha from oral tradition, for which he then found scriptural support. On a second level, Halivni articulates the amoraic teaching that he believes accompanies Rav Ashi's understanding of the oral Torah: because "Israel sinned," *chate'u yisrael*, the written Torah that is transmitted through the period of the Kings is no longer, in all cases, a fully reliable record of God's words to Moses.¹³ The Talmud's historical evidence is that, according to the Biblical record, there were generations of priests and monarchs who did not protect the sanctity of the Temple nor of the written Torah that was stored within it, nor of its laws (such as those of *sukkot*): "Our kings, officers, priests, and fathers did not follow Your teaching" (Nehemiah 9:34). The Talmud's textual evidence lies in the verses of Torah that offer either vague or apparently contradictory halakhic rulings: to take two examples, the contradictions between Exodus 12:9 ("do not eat it [the paschal lamb] raw or cooked in water, but roasted") and Deuteronomy 16:17 ("you shall cook [in water] and eat it"), and between Exodus 12:5 ("you may take it [the passover offering] from the sheep or from the goats") and Deuteronomy 16:2 ("you shall slaughter the passover sacrifice . . . from the flock and the herd"). Such contradictions, or vaguenesses, or cases where the rabbinic halakha contradicts the plain-sense of the Torah, all illustrate what Halivni calls "the maculate Torah," or the imperfect text of the written tradition. On this view, Rav Ashi shows how the text is corrected: the oral Torah restores the written Torah to its proper meaning.

Our *sugya* identifies early stages of this process in the work of Ezekiel, alluding perhaps to his own contributions to the canonical process. According to this teaching, the process culminates in the work of Ezra, who extended and transmitted a tradition of oral, midrashic exegeses which restore *the correct meanings of the Torah's unreliable texts*.¹⁴ The tradition is that the points that appear over ten verses in the Torah (the *eser nekudot*) mark those places where Ezra did not yet carry out the restoration: "Some give another reason why the dots are inserted. Ezra reasoned thus: If Elijah comes and asks: 'Why have you written these words?' [i.e., Why have you included these suspect passages?], I shall answer: 'That is why I dotted these passages.' And if he says to me: 'You have done well in having written them,' I shall erase the dots over them" (*Bemidbar Rabbah* III.13). This is the central claim: that, as recorded in the Mishnah, the rabbis received the oral Torah from Moses *by way of* Ezra. The Talmud's historical evidence is the Bible's account of Ezra's work: "For Ezra had dedicated himself to seek (*lidrosh*) the Torah of the Lord so as to observe it, and to teach laws and rules to Israel" (Ezra 7:10). In Halivni's words, "The Torah came to be accepted by the people as the sole textual source of religious

authority and had to be interpreted not only explicitly, but also implicitly through *midrash halakha*, so that its scope could be broadened organically. Ezra was thus the principal architect of the oral law.”¹⁵

The Talmud’s textual evidence for this process is found either in Biblical literature, roughly from the time of Ezra, or in rabbinic literature. The resolution for one of our two textual difficulties is presented in II Chronicles 35:13—“they cooked the passover with fire”—the other in *Mekhilta I Pisha* 4—“R. Akiba says: . . . Two passages opposing one another . . . stand as they are until a third passage comes and decides between them. (In this case,) the passage “Draw out and take you lambs,” [Exodus 12.21] decides in this case, . . . declaring only from the flock.” Our *sugya* illustrates this process more generally, through R. Ashi’s interpretation of Ezekiel. Halivni explains that “rabbinic *derash* actually restores the original meaning of scriptural verse” in those specific cases where the *midrash halakha* “supplants the *peshat* of a verse.” Thus, “in these instances, the uncorrupted Torah actually originally *did* say (what is in the) *derash*.” While the restorative function of the midrash is displayed literally only in these cases, they represent, more generally, “the religious Jew’s guarantee that, though the Torah is, in places, textually blemished, . . . [the] *halakha lema’ase* does correspond with and express the divine will as embodied in the original revelation.”¹⁶

On a third level of interpretation, Halivni draws general hermeneutical and theological lessons from this amoraic teaching. “The notion of *chate’u yisrael* is thus a metaphor for the historical process of the inconstant maturation of Judaism and the tottering stability of its legal system as embodied in the original revelation. This concept of *chate’u yisrael* enables a religious Jew to handle the First Temple period in much the same manner as a critical scholar might—as a period of religious vacillation and scriptural mutability. . . . In turn, Ezra . . . is imbued . . . with revelatory authority . . . or, in terms of our theory, with the power of restoration.”¹⁷ Halivni is, therefore, not merely reporting a particular amoraic tradition, but also inserting it, selectively, into the theological context of the contemporary religious Jew. Here, “Israel sinned” translates into the halakhic principle that “one cannot base legal arguments on the text of Scripture, alone,” into the hermeneutical principle that, although “no (scriptural) text can be deprived of its *peshat*” (*eyn mikra yotse mide peshuto*), nonetheless the scriptural text must be read critically if it is to bear its meaning for the religious Jew. And it translates into the theological principle that the oral Torah shares in the revelatory status of the written Torah, over which it takes precedence, in fact, in cases of conflict. As Halivni explains it, this theological principle presupposes three “theological premises”: “that there is a God, that God revealed Himself to man, and that the Torah is the result of that encounter. Without these principles, Judaism is not conceivable.”¹⁸ Nor, we may add, is the hermeneutics of *chate’u yisrael*: it is a *critical* hermeneutics for the *religious* Jew. Halivni’s method of restoring the Talmudic text appears to anticipate his account of Ezra’s method of restoring the Biblical text:

For critical study you first learn the text according to the traditional interpretations, with the commentaries that have accumulated on the Talmud for the last sixteen or seventeen hundred years, and then you look at these commentaries and interpretations and ask: Do they honor the integrity of the text, the context, the tenor of the words? Do the words support the interpretation, or is the interpretation forced upon the words? Do you have to shrink some of the text? Would the text be better if certain of its words were not there? You also ask, conversely: Do you have to add something to the text? Are the words as presently constituted insufficient to contain the attributed interpretation? If the answer is yes, the interpretation is considered forced, and according to the critical method, something must have gone wrong in the transmission of the text that gave rise to the forced interpretation. To overcome that, one has to go back in time, trace the steps of the transmission, point out where the transmission went wrong, and reassemble the pieces in a manner that will obviate the forced interpretation. This kind of process is rather difficult. Some people never take to it, for it requires the dismantling and reassembling of the text.

Standard Talmud scholarship assumes “contiguity of knowledge”—that the late sages had an absolute knowledge of the statements of the early sages, knew their contents and the circumstances that gave rise to them. And when there are blemishes—forced interpretations or implausible assertions—they must be overcome either through a better reading of the text or through a better explanation.

We critical scholars do not share this assumption. We do not suppose “contiguity of knowledge” as an absolute given. And when there are blemishes, we suspect a defect in transmission—that the statements did not reach the later sages adequately and completely. The blemishes are not overcome; at best we can explain how they came into being, how the historical process gave rise to them. They are not removed. To some people the existence of blemishes is inconsistent with the religious stature of the Talmud. A revelatory document in any form should be free of such defects. And they shun a method that posits such limitations.¹⁹

Halivni notes objections to this hermeneutics from within the religious communities: “In the sixteenth century, Azariah de Rossi (1511–78) . . . concluded that this text (from *Bemidbar Rabbah* about the *eser nekudot*) must have been written by a deviant student without his teacher’s knowledge and therefore possesses no authority. . . . More recently, Rabbi Moshe Feinstein has been even more unequivocal in his declaration that this rabbinic passage represents unadulterated heresy in attributing to Ezra such excessive leeway with the text of the Torah.”²⁰ In reply, Halivni notes that there are several rabbinic parallels to this text in addition to the other passages about Ezra and the oral tradition, and that many other commentators either offer no objection to it or lend explicit support (for example, Rabbi Y. F. Lisser and R. Meir Ish Shalom). “[For R. Meir,] only if one believes that a scriptural verse was composed by *Moshe mipi atzmo* (by Moses of his own volition)—and the emphasis is on *mipi atzmo*—would the charge of heresy be legitimate. . . . Such a conception of human participation *mipi ha-Gevurah* (by the divine command) validates the hints of R. Abraham Ibn Ezra and even of R. Judah the Hasid about the non-Mosaic elements of the Pentateuch. . . . Moses Alashkar writes,

[furthermore], “It makes no difference whether the Torah was given via Moses or via Ezra in terms of whether sages can exposit upon it”²¹ The traditional commentators who object to this amoraic teaching therefore appear to reject the notion that humans have any role in articulating the halakha as divinely commanded, even on behalf of the divine. Halivni calls this a “maximalist” doctrine of revelation, according to which God literally “revealed to Moses all the comments an astute student will ever make.” For such a doctrine, there must be “a single Truth, determined by its conformity to God’s Word to Moses on Sinai. There can be no conflicting verity claims made by both the majority and minority. . . . Since the law is like the majority,²² only its view conforms to God’s Word to Moses.”²³ For this doctrine, therefore, the oral Torah merely indicates how to apply the laws of the written Torah to contexts that are not already explicit; hermeneutics is not itself a subject of mishnaic or talmudic inquiry, and any hermeneutical speculation or criticism would threaten the halakha, not serve it. By contrast, Halivni’s position is that, while this maximalist doctrine has its advocates, it is not strongly supported in the tradition. It is also not strongly supported by reason, since, on maximalist grounds, it is very difficult to account for the way the oral Torah resolves apparent conflicts in the written Torah. Nor does it account for the major, and apparently positive, role of controversy in the rabbinic texts themselves, and for the fact that minority positions are not vilified or excised but retained.

There are also objections to Halivni’s amoraic hermeneutics from critical scholars who believe the midrash halakha belongs to a cultural context that is simply other than that of the biblical sources. These scholars suggest that, if Halivni wants to bring critical scholarship to the texts of written and oral Torah, then there is not sufficient critical evidence to warrant his using the amoraic teaching about *chate’u yisrael* as a rule for contemporary rabbinic hermeneutics. In other words, there may be reason for one to be a critical scholar *or* a halakhic practitioner, but it is confusing to be both at once. Halivni’s response comes through his overall design for *Peshat and Derash* and through the general scholarly argument that supports it. This is the fourth level of Halivni’s interpretation of the Talmudic text: the most remarkable and potentially misleading one, through which he both identifies and practices his “third” way of interrelating rabbinic hermeneutics and halakha. Halivni’s approach is, on one level, to divide his book and his work into distinct sections, “scholarly and theological,” but, on another level, to integrate the two in a form of rabbinic inquiry that is too new to have as yet a specific name and so old that it is, one may argue, anticipated in the hermeneutics of the Gemara.

Distinguishing scholarly and theological inquiry: Halivni explains that “The relationship between scriptural peshat . . . and rabbinic derash . . . is the generative and axial issue of the book. . . . The aim of the book as a whole is to delineate and grapple with the tension that occasionally arises between what is perceived by the contemporary reader of the Bible to be the straightforward, austere sense of a scriptural text and the more creative, seemingly

artificial interpretation that the rabbinic tradition has affixed to it.”²⁴ To grapple with the difference between *peshat* and *derash*, Halivni finds he must also draw a distinction between two modes of inquiry: “This book reflects the confluence of complementary interests: scholarly and theological. It is divided into two parts that are related but not necessarily substantively continuous . . . rabbinic exegesis and *halakha* (legal norms) are integrally but not always inextricably, linked. Though always related, Jewish exegesis and behavior do not always coincide or converge.”²⁵

The “scholarly” half of the book examines the phenomenon of rabbinic exegesis according to the canons of historical-critical research in the academy: tracing the historical origins and evolution of the rabbis’ distinguishing “plain sense” from “applied meaning.” The “theological” half explores implications of the scholarly study for the beliefs and practices of the religious Jew. Halivni suggests that the first half exhibits “objective” facts about rabbinic practice, while the second is stimulated as well by “subjective” interests: he is responding both to what he considers general needs of the perplexed, religious Jew of modernity and to specific criticisms: “In the heat of the debate, less than a decade ago, concerning the enactment of religious reforms in regard to the rabbinate [the ordination of women]—which I opposed—the leader of the pro-reform group accused me of, at the very least, gross inconsistency. This charge was based on the assumption that the scientific, critical study (and teaching) of the Talmud is inconsistent with the maintenance of a conservative stance on matters of halakhic observance. . . . In the eyes of my accuser, my progressive scholarly program and my conservative halakhic platform were incongruous.”²⁶ Halivni wants to show how, as scientific scholar, the religious Jew may undermine traditional readings of certain rabbinic texts, while at the same time maintaining the halakhic practices traditionally associated with those readings.

Halivni’s scholarly argument is that the rabbis’ practice of deviating in their *legal* (let alone, homiletical) readings from the plain-sense of the scriptural sources displays neither disregard for the plain-sense nor reification of it. The rabbis are neither literalists nor allegorists: the plain-sense is the irreplaceable vehicle of God’s word; but the meaning of that word remains indefinite until it is articulated by way of midrashic reading, which is a way of “reading in.”

The “modern exegete” has a difficult time comprehending the rabbis’ method, because modern readers are bound to an historical consciousness that privileges the “literal sense” as what a text really means.²⁷ The rabbis were not so bound, however, and Halivni’s task is to explain how they distinguished *peshat* and *derash* and how that distinction evolved through the various periods of rabbinic history. Toward this end, his first and central thesis is that, throughout its history, rabbinic exegesis is “timebound” and historically conditioned: when the rabbis appear *to us* to be reading their glosses *into* the scriptural text, we must bear in mind that they and we read the scriptural text with respect to different “interpretive states of mind.” Halivni’s second thesis is that the meaning and relative value of “*peshat*” has

evolved over time, both within the rabbinic literature and throughout the history that links us to the foundational era of the Talmud. His third thesis is that, for the Talmud, “*peshat*” does not mean “literal” or “authoritative,” but, rather, “the ‘context’ of a phrase or verse,” as in the meaning of the root *psht*, as “extension or continuation.”²⁸

All three theses provide textual and historical evidence for Halivni’s alternative to the sharp divisions throughout the modern period between historical-critical and religious approaches to the Talmudic text. Geiger, in the nineteenth century, joined Spinoza, from the seventeenth, in criticizing the rabbis’ deviation from the literal meaning of the written Torah. Halivni’s response is that these critics simply read their era’s predilection for the literal sense into the rabbinic sources. When citing a biblical verse as evidence (*asmakhta*) for an “oral tradition,” the Talmud is not rationalizing a forced reading of the written Torah, but is noting, ingenuously, how the oral tradition complements the written one; this is how Halivni reads the conclusion of our *sugya* in *Ta’anit* as well as parallels (he cites Rava in *bavli Sukka* 28b, *Kiddushin* 9a, *Nidda* 32a-b).

Since the *peshat* refers, in the Talmud, to the literary context of a scriptural passage, and not any single, literal meaning, the *peshat* may allow for different, valid meanings and for different levels of meaning. For Halivni, this is the hermeneutical doctrine that the Talmud delivers in the well-known midrash, “Said Abaye: The Scripture (Psalm 62:12) says, ‘God had spoken once, twice have I heard this, that strength belongs unto God.’ One biblical verse may convey several teachings, but a single teaching cannot be deduced from different scriptural verses” (*bavli Sanhedrin* 34a, cited on p.198 n63). While he does not bring any of the “postmodern” languages of textual analysis into his argument, Halivni’s reading of this passage provides a theological gloss for recent claims that the rabbis read Scriptural texts as “polyvalent.” The polyvalence is not a sign that the meanings of Scripture are up for grabs, but that, if it is to speak once but for all occasions, Scripture’s rules for living must be applied differently to the different social contexts in which its readers actually live.²⁹ “There is no single exegetical criterion, no single interpretive state of mind uniting all periods. This, however, does not necessarily mean that the criterion of a particular generation is entirely arbitrary. Exegesis from one generation to the next has inexorably evolved in one direction—that of diminishing textual yield.”³⁰

According to Halivni, the *tannaim* (early tradents) introduced a distinction between biblical and rabbinic injunctions but accorded them both the status of divine commandments: rabbinic laws simply extend biblical laws to new contexts.³¹ The *amoraim* (later tradents), as we noted earlier, located biblical “supports” for the rabbinic laws; reading-in was pursued less actively but was permissible as long as it did not violate the literary context of a given biblical text (Halivni’s gloss on *eyn mikra yotse mide peshuto*).³² Halivni argues that only the post-talmudic commentators (*gaonim* and *rishonim*) gradually

imposed a standard of “harmonization” on the process of text interpretation. They were seeking to achieve overall conceptual and textual coherence by harmonizing not only flagrant contradictions, for example between an *amora* and a *beraita*, but also subtle contradictions that are merely inferred by the reader.³³ They also commented on Talmud as earlier generations would comment on Torah, at the same time favoring the *peshat* of scripture over the *derash* and thereby flattening the hermeneutics of scriptural reading.

Through this process, the practice of assigning *asmakhtot* acquires the negative connotation of a forced reading; a text and its *derash* belonged to different spheres of knowledge and practice: the oral Torah may have several levels, but not the written.³⁴ The meaning of “*peshat*” changes in this process: if the “*peshat*” has only one meaning, then it can no longer refer to the literary context of a scriptural passage, which may generate more than one meaning; “*peshat*” must now be defined as “literal meaning.” Halivni argues that, contrary to appearances, later pilpulists extended this move toward the plain, literal sense, as did the kabbalists: “*Pilpul* does not read into the text. Nor does it add to the text. It merely “expresses” the hidden logic that underlies the text.”³⁵ Halivni offers a comparable reading of the kabbalists to show that they do not, in rabbinic fashion, read a corrected text *into* the *peshat* but only claim, as do earlier allegorists, to have articulated the hidden meaning of the *peshat* as it stands: “allegorization burdens the text, . . . *adds* to [it]”; “reading in changes the text.”³⁶

Halivni’s climactic, historical claim is that modern critical scholarship completes this process: the move to reduce the written Torah to a single, literal sense is a medieval as well as modern turn; the modern academy simply perfects the move and secularizes it.³⁷ Modern scholars, from Spinoza to Geiger to contemporary historians of the Talmud, tend to read the texts of both written and oral traditions as messages intended to communicate a single meaning *and* also as natural phenomena that reveal certain things about the time period in which they were composed or redacted. According to Halivni, *this* is the viewpoint that leads us, as moderns, to *perceive* tensions between the *peshat* and the rabbinic *derash*, as well as between the purposes of scholarly inquiry and of religious life. It is a world view according to which reality is basically what you see; what is hidden is only imagined or fictional. And, while human societies must actually live according to their fictions, the rules of everyday life that shape these fictions remain culturally specific.

From this perspective, the “rabbinic world view” is just that: it may be good to share in it, but it cannot constrain belief beyond its own cultural precincts; the criteria that inform halakhic commitments must therefore be relative, not just to the biblical tradition, but also to the particular community out of which one participates in that tradition. For this modern world view, the difference between scholarship and theology is more than a division of labor: it is also a separation of *fact* from *fiction*. The oral tradition may be useful and good, but it is no less a product of a particular society’s imagination; to think otherwise is to subscribe to a religious “enthusiasm” or “fundamentalism”:

imagining that the oral Torah is authorized by something beyond its historical conditions. In a society dominated by this modern mind-set, we might expect religious practitioners to return the favor: perceiving academic scholarship as necessarily reductive and secular, they may define their own religiosity as anti-academic. Two sides may form, in tension, and both may begin to fulfill stereotypical roles: one arguing that the oral Torah precludes critical hermeneutics, the other arguing that critical scholarship cannot locate its own rules of inquiry within that Torah.

By dividing his book into separate sections of “scholarship” and “theology,” Halivni is, on one level, operating within the terms of this modern dialectic. This is both a strength of the book and a limitation. The strength is that, in this way, Halivni offers his thesis to both camps. He offers modern scholars historical-critical arguments for respecting the Talmud’s understanding of peshat and derash, and he offers perplexed, religious Jews a theological framework within which to legitimate critical hermeneutics. The limitation of his approach is that, on the surface, it may also seem to reinforce the modern dichotomy between these camps. Readers may have the misleading impression that Halivni does not practice some integrative, third form of inquiry but, instead, replays Samson Raphael Hirsch’s attempt to practice the other two, side by side. Hirsch taught that religious Jews may achieve peace with life in the modern West by living as Jews at home and as human beings in the street. In the tradition of modern orthodoxy, Halivni might appear, as well, to recommend living as a Jew in one’s practical halakhic life (or in the *beis midrash*) and as a generic human (that is, modern scientist) in one’s academic study of the Talmud. By contrast, I conclude this essay with a “restorative” reading of what I take to be the “deeper plain sense” of Halivni’s own text.

Reintegrating Scholarly and Theological Inquiry

To avoid misreading *Peshat and Derash*, it makes most sense to apply the author’s doctrine of “time bound exegesis” to his own work and assume that he addresses his book, as a whole, to the particular, time-bound context of modernity. Halivni’s book is not divided because he seeks to live at once in two contradictory worlds, but because his readership is divided. Within the context of this division, the most he can do is to address either side and try to draw it more closely to the other, without at the same time leaving the impression that he belongs to the opposing camp. One of Halivni’s achievements is to have framed a version of this duality within the language of each camp. He draws the attention of modern scholars to the differences between peshat and derash, and between the world views of modernity—dedicated to literal meaning—and of the Talmud—dedicated to both peshat and derash—here, his achievement is to relativize the modern as well as the earlier standards of “objective reading,” thereby intimating how one might perform legitimate, critical scholarship within a discourse other than the current, modern one. He draws the attention

of religious Jews to the traditional distinctions between the realms of halakha (which he assimilates to “theology”) and *hashkafa* (which he assimilates to critical scholarship *within* the traditional community): here, his achievement is to disclose non-modern and non-secular models of critical scholarship, thereby reassuring religious Jews that they may, without fear, study the hermeneutical as well as the halakhic dimensions of Talmud.

The integrative voice of *Peshat and Derash* does not belong to either modern community, nor can it belong simply to the classic rabbinic literature it examines. To locate it, we must, in rabbinic fashion, become active readers and *read into* Halivni’s book the interpretive context that would bring this voice to life. However it is identified, we may assume that this context would replace the modern *dialectic* of secular scholarship vs. religious practice with a *dialogue* between complementary poles of what we might label “critical rabbinic hermeneutics,” or “religious rabbinic scholarship.” Here, the “scholar” would become the *pashtan*, or student of the plain-sense; the “theologian” would become the *darshan*, or expositor of the applied meaning. Both would be joined by love of God and Torah, by an intellectual delight in and pious respect for its texts, both written and oral—and by a zeal to see in these texts whatever can be seen and to hear from them about whatever must be done. To “see” the plain-sense, the *pashtan* would draw on all possible methods of inquiry, from history to philosophy, privileging only the words of the text themselves in their biblical contexts, as they are informed by the rabbinic literature. To “hear” the text’s applied meanings, the *darshan* would participate in the community of rabbinic practice, as embodied in both a community of contemporary practitioners and the transhistorical “community” of previous commentators. There are many reasons why scholars today are out of the habit of theological speech, and some good reasons for being wary of its dangers. The integrative voice of *Peshat and Derash* suggests that, if so, there is also reason to be wary of the Talmud, yet scholars do not fear to approach it! This voice both reminds scholars why and before whom they must remain fearful and invites Jewish seekers to join them. The dialogue between *pashtan* and *darshan* would be most fully realized at its points of *disagreement*, where plain-sense and applied meaning are no longer mediated by the shared habits or good will of their expositors.

By what then would they be mediated? If not by either side—in the modern context, this is the point at which each camp seeks to take over the rules of mediation, and each camp fails—then only by the third something that must already join them. Since the dialogue is made visible only by the characters of the two partners, *pashtan* and *darshan*, this third something must remain *invisible*, which also means visible only *by way of* the relationship between these two.

The points in which this relationship seems to run into trouble are the same points in which those who perceive the trouble are moved to ask, “who mediates now?” and are then moved to answer “God alone!” and are then moved to trace the divine word which now responds through the written text

and through the oral tradition that will be advanced if this trouble is to be resolved, and will not advance if it will not. This is one way to read the deeper plain-sense of Halivni's commentary on the work of R. Ashi and of Ezra. To comment on the oral tradition in this way is to participate in it.

NOTES

1. Eugene Borowitz, *Renewing the Covenant, A Theology for the Postmodern Jew* (Philadelphia/New York: Jewish Publication Society, 1991), pp. 20–22.

2. *The Talmud: The Steinsaltz Edition*, Vol. XIV, *Tractate Ta'anit*, Part II, translated by Israel Berman, 15 volumes so far (New York: Random House, 1995), p. ix.

3. *The Talmud: The Steinsaltz Edition*, p. 159.

4. *The Talmud: The Steinsaltz Edition*, p. 25a.

5. *The Talmud: The Steinsaltz Edition*, p. 16a.

6. David Weiss Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York/Oxford: Oxford University Press, 1991).

7. To be published Fall, 1997 by Westview Press, a Division of Harper Collins. This is the first title in a new series, "Radical Traditions: Theology in a Postcritical Key," co-edited by Stanley Hauerwas and Peter Ochs. Here is how Halivni characterizes this aspect of his work in his recent *The Book and the Sword: A Life of Learning in the Shadow of Destruction* (New York: Farrar, Straus, & Giroux, 1996), pp. 95–96:

To be fair, let me also state that some scholars are opposed to the method I have adopted. They consider it too subjective, too speculative. To be objective, scientifically sound, according to them, it would have to be based exclusively on explicit textual references, parallel sources and manuscripts, and not on logical deduction, which I am wont to employ as well. According to these scholars, one cannot infer the existence of antecedent texts through dialectical deductions. A text has to be seen before an assertion can be made about its existence. Otherwise, it is merely conjectural, scientifically inadmissible. Once a standard like this has been set up, there is really very little left for the textual scholar to do but to seek out and prepare new texts. True creative and imaginative scholarship becomes well-nigh impossible. One does not have to be especially creative or particularly imaginative to understand a text when one has read one. Such intellectual activity does not complement reality. It merely focuses on it. But one cannot understand the full significance of a text without transcending it, without reaching out into its evolutionary past. That only an intuitive grasp can yield such an understanding does not diminish its veracity. On the contrary, through such intuition the text—that is, the content of the text—becomes firmer, rooted, and hence more reliable. It is endowed with a richness, a mellowness, a depth that enhance its credibility. A text, like a human being, is true to itself only when it is more than itself.

It would not be irrelevant here to mention that my taste in painting is for Impressionism and early Post-Impressionism. Unlike classical painting, to which the reigning Talmud scholarship can be compared, for it strives toward an articulate, harmonious whole, and unlike modern painting, which decidedly emphasizes the disharmonious, Impressionism leaves it to the viewer to complete the harmony, soliciting intuitive human participation.

8. *The Talmud: The Steinsaltz Edition*, p. 17b.

9. As Steinsaltz notes, "in the parallel passage found in *Sanhed. 22b*, the Gemara concludes its objection with the word *kashia*, "it is difficult," . . . and no resolution of the difficulty is offered.

10. "Sources and Traditions, A Source Critical Commentary on the Talmud," Tel Aviv, 1968; Jerusalem, 1975, 1982, and continuing.

11. Irwin Haut, *The Talmud as Law or Literature, An Analysis of David W. Halivni's Mekorot Umasorot* (New York: Bet Sha'ar Press, 1982), p. 6.

12. *Peshat and Derash*, pp. 124–135.
13. “Had not Israel sinned, only the Pentateuch and the book of Joshua would have been given to them” (*Nedarim* 22b, cited on p. 137).
14. In a few cases, according to this teaching, Ezra directly emended unreliable texts or marked unreliable words (through a system of *eser nekudot*, or “puncta extraordinaire”).
15. *Peshat and Derash*, pp. 134–135.
16. *Peshat and Derash*, p. 133.
17. *Peshat and Derash*, p. 149.
18. *Peshat and Derash*, p. 150.
19. *The Book and the Sword*, pp. 124–126.
20. *Peshat and Derash*, p. 141.
21. *Peshat and Derash*, pp. 142–143. References cited by Halivni: Y. F. Lisser, *Binyan Yehoshua* (Dyhernfurt, 1788); Ish Shalom, *Bet Talmud* I, edited by Weiss and Friedmann (Vienna, 1881), pp. 234–238; Alashkar, *responsum* no. 74.
22. *Acharei rabim lehatot*, “incline after the majority” (see below).
23. *Peshat and Derash*, p. 114.
24. *Peshat and Derash*, pp. v–vi.
25. *Peshat and Derash*, p. v.
26. *Peshat and Derash*, p. ix.
27. *Peshat and Derash*, p. 9.
28. *Peshat and Derash*, pp. vii, 54.
29. See Steven Fraade, *From Tradition to Commentary, Torah and Its Interpretation in the Midrash Sifre to Deuteronomy* (Albany: State University of New York Press, 1991): pp. 123ff; Michael Fishbane, *The Garments of Torah, Essays in Biblical Hermeneutics* (Bloomington: Indiana University Press, 1989), *passim*.
30. *Peshat and Derash*, p. 22.
31. Halivni devotes much of *Peshat and Derash* to detailed textual studies of the rabbinic literature, the Gemara in particular, that illustrate more refined gradations from the tannaitic period to the amoraic, stammatitic (anonymous), gaonic and so on. Within each period, he notes an overall hermeneutical trend but also many sub-movements, some preserving trends of past periods, some anticipating future trends, and each marked by prototypical forms of textual reasoning that bear descriptive labels (such as “reading in,” “textual implication,” “awareness of the value of *peshat*,” “uncompromisability of *peshat*.” Of particular interest is his discussion of amoraic attention to logical issues, and stammatitic resistance to innovation: pp. 51, *passim*). Because of limited space, I summarize only the most general themes of Halivni’s textual history and omit discussion of the close textual readings.
32. *Peshat and Derash*, pp. 25, 61.
33. A principal technique is “oblique reference,” or inferring that “the author of a text must have been of a certain opinion about a certain subject. Otherwise, he would have contradicted what he himself had said elsewhere. The inference is oblique because what he said elsewhere was not said necessarily in the context of the subject under discussion” (39).
34. *Peshat and Derash*, pp. 79ff.
35. *Peshat and Derash*, p. 42.
36. *Peshat and Derash*, p. 6. Halivni’s discussion in *The Book and the Sword* may be helpful here: Perhaps an example, technical though it may be, may help to illustrate the differences between the three major approaches to the study of Talmud—the standard traditional method, the pilpulistic method, and the critical method—and will also clarify the significance of my own move to critical scholarship. The reader will note that, aside from technical, methodological differences, the critical approach is less respectful of

long-held opinions—and, as a result, some people will never follow it, for it will offend their deference to that which is old and venerated. Thus, the shift toward the critical method does involve some adjustment—minor, I trust—in religious orientation.

This example is taken from the first mishnah of the Tractate *Kiddushin*, a tractate that outlines the Jewish laws of betrothal and marriage. The mishnah in *Kiddushin* opens with the statement “By three means a woman is acquired [in marriage]: by money, or by writ, or by intercourse; and by two means she acquires her freedom: by a bill of divorce, or by the death of her husband.” The Babylonian Talmud, in its corresponding tractate, commenting upon this mishnah, inquires after the meaning of the mishnah’s passive wording: “Let the mishnah state ‘A man acquires a woman by three means [rather than “a woman is acquired”].’” The Talmud then explains: had the mishnah stated that “a man acquired a woman,” one might draw the conclusion that he is able to do so against the woman’s will. The phrase “a woman is acquired,” the Talmud explains, implies that she is acquired only by her own consent, and not without it. This explanation troubled the medieval commentators, for the first mishnah in the second chapter of *Kiddushin* begins: “A man may betroth a woman either by his own act or by that of an agent.” Here there is no passive wording, and therefore this latter mishnah, according to the Talmud’s reasoning in the first chapter, seems to suggest that a woman may be betrothed against her will, which is not the case.

The Tosafot of the thirteenth century—the most influential glosses on the Talmud—defend the Talmud’s explanation for the passive formulation in the Mishnah’s first chapter by suggesting that since the proper conclusion is already implicit in the wording of the first chapter, the Mishnah’s second chapter is not concerned with the possibility of suggesting a wrong conclusion about the woman’s own will. Since the first mishnah was careful to state “a woman is acquired,” rather than “a man acquires,” implying that the woman must consent, the second chapter could be less careful in its wording.

I wonder whether the Tosafists would have reached this explanation on their own had they not been obliged to defend the exposition of the Talmud. I call the interpretive manner of the Tosafists and of their colleagues and heirs the standard traditional method, and this method of reconciling passages in the Talmud was followed for generations.

A more involved and casuistic approach to interpreting Talmudic passages is known as pilpul. A pilpulistic manner (and there are many) of defending the Talmud’s explanation of the mishnah’s wording—if the pilpul came from a source close to the conceptual thinking popular in Lithuanian yeshivot—would probably center on drawing a distinction between “acquiring” and “betrothing.” The first mishnah uses the language of acquisition, which has a coercive ring to it, while the second mishnah speaks of betrothal, which does not carry the same implications.

In Sighet, I heard another pilpulistic interpretation which is more typical of the rigors of this kind of learning. Rabbi Ezekiel Landau (1713–1793), in his famous book of responsa *Noda Beyehudah*, compares this case of betrothal to another case of agency in order to comment on this same question of the woman’s free will. How, he asks, can the mishnah in the second chapter state that a man may betroth a woman through an agent when the law elsewhere says that a man cannot send an agent to collect money from a debtor who owes money to several creditors but has assets sufficient to repay only one? The agent cannot collect the money from the debtor if, by so doing, he precludes payment to the debtor’s other creditors. How then, Rabbi Landau asks, can a man betroth a woman through an agent when, in doing so, he precludes other men from marrying her? Rabbi Landau answers that a woman cannot, after all, be compared to a debtor in this connection. A debtor is obliged to pay against his will, while a woman cannot be betrothed without her own consent. By accepting betrothal through the agent, the woman indicates her own choice of one particular man and becomes unavailable to others. No other man can lay claim to her, whereas a debtor remains in debt to his other creditors even when he repays one of them. By collecting repayment through his agent, a creditor potentially harms other creditors; but by betrothing a woman, with her consent, through an agent, a man can do no harm, since there can be no other legitimate claims upon her.

According to this pilpulistic argument, the fact that the mishnah in the second chapter says that a man may betroth a woman through an agent in itself suggests that

a woman cannot be betrothed against her will. The betrothal through an agent must involve the woman's consent in order to be dissimilar from the prohibited collection of debts through an agent. The mishnah therefore has no reason to be concerned about suggesting the wrong conclusion, that a man can betroth a woman against her will.

All of these traditional explanations, conventional and pilpulistic, defend the Talmud's explanation of the difference in wording between the two Mishnaic chapters. The wording of the first chapter, according to these explanations, must indicate that a woman's consent is necessary for betrothal; but this is not necessary in the second chapter, either because of context or because the point has already been established. The critical method, however, will question the Talmudic assumption that the difference between "a woman is acquired" and "a man may betroth a woman" has to do with consent. The expression "a woman is acquired," in the first chapter, is, according to the critical method, a stylistic formulation and no more, consistent with the rest of that mishnah ("and . . . she acquires her freedom"). As to the mishnah in the second chapter, it stems from a different source; the Mishnah is compiled from different sources, dating from different periods. The word *mekadesh* ("sanctify"), used in the second chapter to indicate betrothal, is a Rabbinic term, whereas the "acquisition" of the first chapter is a biblical formulation (cf Ruth 4:10). The mishnah of the first chapter is older than that of the second chapter (which can be proved by other evidence, requiring a much longer technical discussion). The mishnah of the second chapter was composed by a different and later author, employing a different style and different terms.

Thus, traditional methods of study account for the different expressions by proposing meanings that are not apparent in the words themselves, while critical methodology reveals historical reasons for the discrepancy.

I should mention parenthetically that the opposition within the yeshivot to scientific textual study was not nearly as fierce fifty years ago as it is today. Then yeshivot were more tolerant of critical study (one can see this in the journals sponsored by yeshivot of the time), although they did not practice such scholarship themselves or train students to do so.

Yeshiva scholars were always interested in the meaning (practical or logical) of the sayings in the Talmud—the sayings themselves were taken for granted. Critical scholars are interested in the history of the text (to criticize, etymologically, means to judge, and the scholars judge the historicity of the text), and these scholars may be divided into two camps: those interested in the historicity of the facts cited in the Talmud, and those, among whom I hope I have made a substantial contribution, who are interested in the historicity of the sayings themselves: were they really said, by those to whom they are attributed, and in what form? It is difficult to ascertain which of the two scientific activities was more tolerated in the yeshiva circles. This probably differed from period to period. Still, questioning the authenticity of Talmudic sayings may be less acceptable to religious sensibilities, and hence less prevalent in yeshiva circles. (pp. 142–147)

37. By locating the move to literal sense within both the medieval and modern periods, Halivni contributes to a recent trend among Jewish and Christian theologians and philosophers of revising the modern academy's practice (since the Renaissance) of identifying "the end of the medieval period" as the intellectual watershed in western history, separating modernity from all that came before. Halivni's watershed is the *beginning*, rather than the end of the medieval period: after this, Jewish hermeneutics come gradually under the influence of the Greco-Roman metaphysics of "substance," its logic of propositions, and its hermeneutical dichotomization of literal and fictive senses. This influence remains through the modern period. Motivated by concerns that parallel Halivni's, some recent Christian theologians identify the corresponding watershed for Christian theology with the period of Constantine and the Roman-Christian imperium. There are other significant parallels between the hermeneutical histories of *Peshat* and *Derash* and of the Christian theologian Hans Frei, *The Eclipse of Biblical Narrative, A Study in Eighteenth and Nineteenth Century Hermeneutics* (New Haven: Yale University Press, 1974).

Who Is A Jew: Prime Minister Begin and the Jewish Question

STANLEY RABINOWITZ

SINCE THE QUESTION OF CONVERSION ACCORDING TO Halakha and, by implication, the definition of Jewish identity, is once again on the political agenda of the Israeli government, I thought that an account of my earlier encounter with it, when the late Menachim Begin was Prime Minister, would be helpful to readers of *Judaism*. My narrative is based on the record I kept of our meetings. Now that the issue has resurfaced to unsettle the Jewish agenda, I was prompted to recall the experience and compose the following from the record in my files.¹

The question first generated controversy in Israel in 1958. The need to define Jewish identity was required for three purposes: (1) for marriage or divorce, (2) for the population registry, and (3) to identify those who were entitled to the benefits of the Law of Return.

The determination of Jewish identity for purposes of marriage or divorce, and other aspects of personal status, was based on Turkish-Mandatory precedent and was assigned to the official rabbinate. The other two definitions, for the population registry and the Law of Return, were considered secular definitions.

The Israeli Knesset had promulgated the following definition of the Jew for the purposes of population registry and the Law of Return only: "A Jew means a person born to a Jewish mother or who has become converted to Judaism, and who is not a member of another religion." An earlier attempt to add the phrase "al pi halakha" (in accordance with halakha) to the accepted definition failed,

Under the current definition, the official rabbinate continues to control the marriage registry (and may disallow a marriage license to anyone converted by a Reform or Conservative rabbi in Israel or abroad.) Seeking to broaden their jurisdiction, the Orthodox parties have continued to press for adding the restrictive phrase to the definition of a Jew for the other purposes as well.

Golda Meir, in 1970, had refused to yield to the Orthodox demands because she felt that the Orthodox monopoly over religion should not be extended to cover the diaspora and that while the Knesset could legislate for Israel, it was not entitled to pass legislation that would determine the kind of conversion that would be carried out in the diaspora.²

STANLEY RABINOWITZ served as rabbi of the Adas Israel Congregation in Washington D.C. from 1960 to 1986; he is now Emeritus. He was president of the Conservative Rabbinical Assembly from 1976 to 1978.

In 1977, the late Menachem Begin was elected Prime Minister of Israel. It was public knowledge that Begin had promised the Orthodox leadership in Israel that, if elected, he would endeavor to change the Law of Return to insert the controversial phrase, “conversion in accordance with Halakha” in the definition of Jewish identity.

The proposed change, if implemented, would have challenged the legitimacy of past and future conversions of persons converted by Conservative and Reform rabbis in the United States even to challenging the Jewish identity of children and grandchildren of such converts.

Mindful of the implications of Begin’s election, Rabbi Ely Pilchik, president of the Reform Central Conference of American Rabbis, phoned me as the president of the Conservative Rabbinical Assembly, to suggest that we mount a joint delegation to meet with the recently elected Prime Minister on his forthcoming official visit to the United States. A joint delegation, he felt, would be far more effective than either of us acting alone. I was to seek to arrange the meeting through the Israeli embassy in Washington.

The embassy spokesman Minister Hanan Bar-On assured me, off the record, that embassy officials were as concerned with the implications of any change in the Law of Return as we were. He was pleased that a joint delegation could be mounted to demonstrate its opposition to the proposed change and assured me that an appointment with Begin could easily be arranged if I would first submit a formal written request to Ambassador Simcha Dinitz.

Two days later, Minister Bar-On called to say that the appointment had been arranged for the afternoon of Sunday, July 24 (1977) at the Prime Minister’s quarters at the Waldorf Astoria in New York. The day of the appointment was Tisha B’Av, a foreboding day for our enterprise, but no other date was available.

The appointment confirmed, both Pilchik and I notified our respective rabbinic and lay organizations to invite them to name their representatives. The United Synagogue, the Conservative synagogue organization, hesitated to join a delegation that would include the Reform group; they preferred to arrange their own meeting with Begin.

United Synagogue leaders felt that a public appearance with the Reform organization would only serve to blur the differences between them, ignoring the fact that joint representations between the Reform and Conservative groups on this very issue had been made in the past.

A jointly signed petition by Reform and Conservative presidents had been submitted to Minister Golda Meir in 1970. The two groups acting together had been influential in framing the current reading of the definition and, once again, in protecting it from change in 1972 when the Orthodox Agudat Yisrael attempted to include the restrictive phrase.

When the Orthodox group made still another attempt to change the law in their favor in 1974, the Conservative and Reform groups authorized a joint statement addressed to Prime Minister Yitzchak Rabin upholding the “status

quo,” Prime Minister Rabin had deflected the 1974 attempt to change the law by advocating the appointment of a “study commission” whose extended discussions produced no proposals.

Our joint delegation, without the United Synagogue, would include distinguished laymen from our movements, so that our presence would not be solely a rabbinic delegation, together with the respective chief executives of our rabbinic organizations. In addition to Pilchik and myself, our delegation included, for the Conservative movement, Rabbi Wolfe Kelman, Executive Vice President of the Rabbinic body, Ambassador Sol Linowitz, Chairman of the Board of Directors of the Jewish Theological Seminary, and Dr. Max Kampelman, President of the American Friends of the Hebrew University; for the Reform movement, Rabbi Joseph Glazer, Executive Vice President of the Rabbinic body, and Milton Perlmutter, Chairman of the Israel Development Corporation (Israel Bonds) and of the United Jewish Appeal.

Ambassador Sol Linowitz, Chairman of the Board of Overseers of the Seminary, who originally had agreed to join our delegation was forced to withdraw at the last moment due to his involvement in the final stages of the complex negotiations over the Panama Canal treaty, which required his presence throughout the weekend.

The remaining members of our delegation met at the Waldorf Astoria one hour prior to the designated hour for our appointment where we signed a previously prepared written statement for presentation to the Prime Minister which argued that “any unilateral attempt to change the carefully constructed formula for defining Jewish identity would shatter the unity of the Jewish people, undermine the prospect of aliyah, and result in incalculable harm to the state of Israel.”³

At the appointed hour, we were ushered into the Prime Minister’s suite. Among those present were Ambassador Dinitz, Minister Hanan Bar-On, Consul Benjamin Navon, Counsel General Ben Ari, Yehuda Avner, and Shmuel Katz, aides of the Prime Minister. Once the formalities of introduction were concluded, we briefly summarized our previously prepared position paper indicating the reasons for our opposition to the inclusion of the threatening phrase “conversion in accordance with Halakha” in the definition of Jewish identity for the purposes of the Law of Return.

“What’s the matter with ‘conversion in accordance with Halakha’?” interjected Begin. “I am in favor of Halakha. Why should you want to abandon it?”

At this point, I objected, “But, Mr. Begin, this is a catch-22 situation.” (It was the wrong metaphor. I am not certain that Begin understood the meaning of the phrase. I had to explain.) “The Conservative conversions are in fact in accordance with Halakha. In Israel, however, Halakha is the exclusive province of the Orthodox and they will not recognize our procedures even though they are identical with their own; we are disqualified *a priori* (*l’hatchilah*) simply because we are Conservative Rabbis. Therefore, to include the phrase is to exclude us and our converts.”

Mindful that my statement did not precisely reflect the Reform position, Pilchik explained the diversity within the Reform movement and pledged to submit to Begin's office and/or the official rabbinate a list of those Reform rabbis who would promise to follow halakhic procedures in conversion.

Max Kampelman, a dedicated supporter of Israel, and Milton Perlmutter warned of the damage that Israel would sustain when major donors and bond purchasers would realize that their congregations had been humiliated by this repudiation of their converts.

Wolfe Kelman, striking to the heart of the matter, interjected. "Supposing the change were to be implemented, who would be the judge of whether the conversion conformed to halakha? Our *hechsher* would not be accepted even though we conform to halakhic procedures. Therefore," he concluded, "The question is not 'Who is a Jew?' but 'Who is a Rabbi?'" A lively discussion ensued.

Finally, Mr. Begin spoke up.

Rabbis and gentlemen, rest assured that I understand your problem, but you must understand mine. In order to be elected Prime Minister and to form a coalition government, I had to take the political realities of our country into consideration. I had to promise the Orthodox parties, that I would do my best to seek a change in the Law of Return to include the phrase "conversion in accordance with Halakha." I did not, however, guarantee the change, only to do my best to achieve it. Now, if you object to the phrase, and I understand the reasons for your objection, I invite you to come to Israel as my personal guests and to take advantage of our open democracy by holding press conferences, making public statements, and appearing on television. Come to us and speak out. If your best efforts exceed my best efforts, then the bill in the Knesset will be defeated, but at least I will have respected my commitment to do my best.

Begin appeared pleased. It was evident that he understood the dangers implicit in adapting the law to please the Orthodox. It appeared that he was eager for us to save him from a course that he was forced to follow. Begin indicated that the amendment would be presented as a private bill within the next few months but only if he could get a majority commitment. He repeated this at least twice; it appeared to us that he was inviting us to prosecute our case actively in order to ensure that he would not obtain a majority, in which case he would not submit the bill.

We eagerly accepted his invitation. It was understood that we would leave within three weeks.

Our delegation arrived in Israel on August 15. Our appearance made headlines. Previous joint approaches on this issue had been either in writing, as in 1974, or when in person, in private, as in 1970 and 1972; this was the first time Israel had witnessed a public appearance of Reform and Conservative Rabbis standing side by side. It was this public aspect which many of our Conservative colleagues both in Israel and in the United States resented

because they felt the joint appearance would only serve to feed the widely held assumption in Israel that Conservative and Reform Judaism were both alike.

Others joined our delegation in Israel: Rabbi Saul Teplitz, Vice President of the Conservative Rabbinical Assembly, and, representing the Reform, Rabbi Richard Hirsch head of the World Union for Progressive Judaism, Dr. Alfred Gottschalk, President of the Hebrew Union College, and Dr. Ezra Spicehandler, Professor at the College. Neither Ambassador Kampelman nor Milton Perlmutter was able to accompany us to Israel.

Upon our arrival, we formulated a formal memorandum addressed to the Prime Minister which, with his permission, we later distributed to the press in Hebrew and English. If the proposed amendment were adopted, it read in part, it would explicitly reject the authority of the non-Orthodox movements in the diaspora and the State would thus be an agent of disunity. Moreover, it concluded, the intention of the Orthodox rabbinate is not to preserve Halakha but to preserve their control of Halakha. A final section expressed the hope that a religious rather than a political solution could be found that would maintain the unity of the Jewish people.

On the following day, we met with the Prime Minister in his office, the first of several meetings. Also present were Interior Minister Yosef Berg and Religious Affairs Minister Aharon Abuhatzera, Shmuel Katz, and Yehudah Avner. The Prime Minister stated that he had read the memorandum submitted to him and that he recognized the seriousness of the problem. "We shall look for an appropriate solution," he said. He then invited Minister Berg to begin the discussion.

In his presentation, Berg, brilliantly erudite, recognized the creativity of American Judaism and praised the positive changes in Reform Judaism which, unlike Reform of yesterday, had now accepted Hebrew and Zionism. Pointing to the differing cultural and religious patterns in American and Israeli Judaism, he argued,

You have neither a chief rabbi, a kehilla, nor a general Beth Din as we have. We will not interfere in your way of life; we ask you not to interfere in ours. We assign questions of personal status to the province of Orthodox law and the Beth Din. This does not diminish the social rights of an *oleh*. When a convert comes to this country, he or she creates a problem for us. If a woman has not been converted properly, a problem will arise when her child seeks a marriage license. We want to protect a convert from this unpleasantness. There are so few immigrants who fall into this category that a controversy over the issue is hardly justified. Was *brent es zich*? Why do you persist in creating problems where there is no problem. We are compassionate in resolving these questions of identity.

Kelman affirmed our commitment to the welfare of Israel: "We have always hesitated to express an opinion on civic or political issues that would embarrass Israel, but conscience exercises a restraint upon us. Conscience is not the exclusive preserve of the Orthodox Jew. There are people who will not

enter a synagogue where women are separated from men. These three words, "*al pi halakha*," force a confrontation between us. If so few cases arise, why create divisiveness over them? We are content to live with the status quo."

Alfred Gottschalk added that as head of the Hebrew Union College he was prepared to initiate a program for training rabbis who want to act halakhically in conversions. "The proposed amendment is an affront to my group and even more to those who have sacrificed for being Jewish. The first refusenik was not Jewish halakhically. He was jailed for being a Jew and was affronted when Israel questioned his Jewishness. Leave the Law alone," he pleaded.

"Do Reform rabbis form a Bet Din of three?" asked Begin.

"If we could get you to agree that three Reform rabbis can make decisions according to Halakha, we will accept the amendment," responded Gottschalk.

Berg interjected, "How can one who doesn't know Halakha act in accordance with Halakha especially since he doesn't revere Halakha?"

Begin later reported that a representative from Lubavitch had proposed a compromise: a conversion would be acceptable if it were supervised by a Beth Din that would include two Orthodox rabbis with one of them acting as chairman. He urged us to give favorable consideration to this compromise; it would resolve the problem. He promised to secure the approval of the Orthodox rabbinate for this position.

At the Prime Minister's request, we met with the two Chief Rabbis while Richard Hirsch arranged meetings with coalition leaders, the two living former Prime Ministers, the President of Israel, the head of the Jewish Agency, and the mayor of Jerusalem.

At our meeting with Rabbi Ovadiah Yosef, the Rishon L'tsiyon charmingly belittled the importance of the question: He asserted that he did not require *hatafat dam brit* (a symbolic act of circumcision) for male converts already circumcised, only *t'vilah* for male and female. "There are many reasons requiring immersion, not only for conversion, he said. "Is it so terrible to ask a person to go to the mikvah? Why should it disturb you if we ask a *ger* (a convert) to undergo another immersion and to make another *bracha*? It's a minor matter to you but one of great importance to us. We are one people and there is only one way for conversion to take place."

Golda Meir, meeting us at her residence, was unconditionally opposed to any change in the Law of Return. She recalled the turmoil her administration endured when forced into deciding who was entitled to the privileges of the Law of Return, and thus, in effect, defining Jewish identity.

The Lubavitch is at the root of the problem, she felt, and is pushing the Orthodox parties. She recalled that in 1970, during the War of Attrition, when Israeli soldiers were being killed almost daily, the Lubavitcher Rebbe wrote her that God was punishing Israel for failing to correct the deficiencies in the Law of Return.

The contemplated change in the Law of Return will split the Jewish world. "Begin wants all of Israel for the Jews, but not all of the Jews for Israel,"

she concluded, "The Orthodox will not be able to force party discipline nor will they leave the government on this issue." She urged us to hold fast.

The Ashkenazic Chief Rabbi, Shlomo Goren, as expected, reiterated the Orthodox position. He expressed his admiration for Professor Saul Lieberman, Professor of Talmud at the Seminary (if we Conservative rabbis were like him, he would accept our conversions), and his high regard for Rabbi Solomon Freehof, a leading Reform Rabbi and Halakhic authority (would that he practiced as much as he knows). He marveled that Reform and Conservative Rabbis could come together in a single delegation when one presumably accepted Halakha and the other did not. Pilchik responded, "Your rejection has put us together." He reacted, "You are misleading your own people. You are like the Sadducees." Pilchik asked him, "Will you recognize us Reform rabbis if we observe Halakha?"

"Every dog has four legs," Goren responded, "but not every four-legged creature is a dog. Every rabbi is a Jew, but every Jew who calls himself a rabbi is not necessarily one."

Former Prime Minister Yitzhak Rabin reminded us of his opposition to the amendment when it arose during his administration. He had evaded the issue by appointing a study commission which studied it into disintegration. He also reminded us of our lack of leverage and urged us to oppose the law by persuasion rather than making threats to use American-Jewish pressure which was meaningless because American Jews were unconditionally committed to Israel.

The president of Israel, Ephraim Katzir, urged us to press for even broader rights for the non-Orthodox in Israel. In his opinion, the Orthodox rabbinate felt that it is better to have less Jews coming to Israel so long as those who do come are Orthodox. "The Torah can be sustained by ten thousand Jews; it doesn't require millions of Jews. They are harming aliyah," he asserted.

Gideon Hausner, head of Yad VaShem and the Eichmann prosecutor, urged us to press for our rights by making greater use of the courts. "Religion is strangling us," he said. "Your joint delegation is the only hope of rescue. The example of Conservative and Reform rabbis standing together, despite their differences, points the way to religious pluralism and is a lesson that Israel must learn. Your presence is helping us."

Teddy Kollek, the Mayor of Jerusalem, also urged us to press for other issues beyond the Law of Return. He was currently facing the wrath of the Orthodox rabbinate because he had allocated land to a Conservative synagogue on French Hill.

Shimon Peres, Hayim Zadok, the former minister of justice, Yigal Horowitz of La'am, Shmuel Tamir, of the new party, Dosh, all encouraged us to press further. Moshe Talmmi of Mapam added, "This is not an important issue for Mapam, but it becomes an important issue for us if American Judaism is affronted. We will follow your signals." The Liberal Party heads, Leon Dulzin and Simcha Ehrlich assured us they would vote in opposition to any change in the Law. Nor did they fear that the Agudah would leave the government on this

issue. "Where would they find a Prime Minister as sympathetic to them as Begin? They have never had as much leverage as they have now and they have other axes to grind, such as military exemptions for yeshiva students."

Our final meeting with the Prime Minister was sadly instructive. He regretfully admitted that his trial balloon for a joint Bet Din including all 3 groups had collapsed. "The Orthodox rabbinate declined to participate," he said. The agent of the Lubavitcher Rebbe who had originally presented the compromise proposal to Chief Rabbi Goren was eventually repudiated by the Rebbe when he reached New York, probably because of premature publicity.

"Nonetheless, Rabbi Lamm (Yeshiva University) is prepared to continue discussions, but without publicity," he continued. "Perhaps a person seeking conversion should be sent to Israel to complete the process in the same way that some boys come to Israel to be Bar Mitzvah. With good will we can find a compromise. I am willing to delay submitting the bill until November or December. In the meantime we can seek a suitable way to solve the problem."

Minister Berg implied that he could deal more readily with the Conservative group without the Reform, but "if you insist on taking a position based on the principle of religious pluralism we can't work with you."

When we emerged from the building, we were faced with television cameras and reporters requesting a statement. Minister Berg declined to enter into a public debate. "After all," he said, "Rabbi Hirsch had a tablet with him with a statement written on it." Hirsch insisted that the tablet was empty. Berg, with his sharp wit, responded, "Even if something were written on it, it would be empty. We cannot accept the group which denies validity of Halakha."

Returning to New York, Rabbi Kelman held one private meeting and several lengthy phone conversations with Rabbi Lamm to explore ways in which the three groups could work together on procedure for conversion, but without conclusive results. When word of the substance of the New York conversations became known in Israel, Agudat Yisrael again threatened to leave the coalition government and, in the United States, Rabbi Moshe Feinstein ruled that cooperation with the non-Orthodox was impossible because they did not believe in "*Torah min ha-shamayim*" (divine revelation).

The status quo remained.

In private, some qualified authorities have conceded that the issue of "in accordance with Halakha" (*giyur al pi halakha*) was at most a marginal halakhic question; it was more political than halakhic. The intransigent position of the Lubavitcher Rebbe, they felt, was motivated not so much by the desire to curb the admission of "improperly" converted immigrants to Israel than it was to deny legitimacy to non-Orthodox rabbis in America. The Orthodox have therefore rejected every compromise proposal, however logical, if it involved the participation of the non-Orthodox.

When a further attempt was made to amend the Law in 1984, a broader coalition that would now include virtually every non-Orthodox religious and

secular organization in the Jewish world mobilized in opposition. And this time the Conservative and Reform Rabbinate could appear together in public both in Israel and in the United States with negligible opposition.

In 1984, a press conference could take place in Israel in full public gaze with the participation of representatives of the Reform, the Conservative, and even the Reconstructionist Movement. The public appearance of all three no longer aroused question. The status quo was upheld, however tenuously, at that time.

NOTES

1. Ambassadors Sol Linowitz and Max Kampelman, Rabbis Ely Pilchik and the late Wolfe Kelman and Joe Glazer corroborated my narrative, especially the report of meetings with Begin in New York and Israel and mailed to members of the Rabbinical Assembly.
2. For further elaboration see *The Perpetual Dilemma*, by Zalman Abramov (Rutherford, NJ: Fairleigh Dickinson University Press, 1976), p. 304.
3. Letter to Begin, July 24, 1977, signed by each member of the delegation.

John Felstiner's book, *Paul Celan: Poet, Survivor, Jew*, published by Yale University Press in 1995, has won the 1997 Truman Capote award for Literary Criticism. The judges were Seamus Heaney, Elizabeth Hardwick, Frank Kermode, Henry Louis Gates, Jr., Denis Donoghue, and Geoffrey Hartman. His prize-winning book includes some of the material from his essay, "Translation as Reversion: Paul Celan's Jerusalem Poems," which appeared in the Fall 1994 issue. Our congratulations to John Felstiner, a contributing editor of JUDAISM.

The Future of Jewish Values in Israel

DANIEL J. ELAZAR

ISRAEL WAS BUILT BY THE ZIONIST MOVEMENT TO SAVE and restructure the Jewish people. Not surprisingly, it was founded upon what Max Kadushin defined as Jewish value concepts, that is to say core values and the penumbra of meanings and behaviors surrounding them.¹ How and in what ways Israel continues to be a Jewish state is an open question nowadays and no doubt will be over much of the next generation.

Jewish values are grounded on and derived from the idea of covenant (Hebrew: *brit*). Covenants are morally-informed pacts, based upon voluntary consent between people or parties having sufficient standing for the task at hand. A covenant provides for joint action or obligation to achieve defined ends (limited or comprehensive) under conditions of mutual respect that protect the individual integrities of the parties to it. Every covenant involves consenting, promising, and agreeing. Most are meant to be unlimited in duration, if not perpetual.

In its original biblical form, covenant embodies the idea that relationships between God and humans are based upon morally sustained pacts of mutual promise and obligation. God's covenant with Noah (Genesis 9), which came after Noah had hearkened fully to God's commands in what was, to say the least, an extremely difficult situation, is the first of many biblical examples. In its political form, covenant expresses the idea that people can freely establish communities and polities, peoples and publics, and political society itself through such morally grounded and sustained compacts (whether religious or otherwise in impetus), thereby establishing enduring partnerships. Using the language of covenant, the Bible describes relations between God and nature, humans and nature, and the various elements of the natural world.²

Covenants can bind any number of partners for a variety of purposes, but in essence they are political, having to do with the distribution of power and the relationships between the partners in the pursuit of common goals. Their bonds are used principally to foster the relationships to accomplish the designated tasks. A covenant is the constitutionalization of a set of relationships

DANIEL J. ELAZAR, *founder and president of the Jerusalem Center for Public Affairs*, is author or editor of over 50 books and essays. His recent works include *Understanding the Jewish Agency and Israel: Building a New Society*. As editor of the *Jerusalem Letter/Viewpoints series*, he has analyzed issues as varied as the emerging role of Sephardic Jewry to the future of religious politics in Israel. Professor Elazar also holds the Senator N. M. Paterson professorship at Bar Ilan University in Israel and is Director of the Center for the Study of Federalism at Temple University in Philadelphia.

of a particular kind. As such, it provides the basis for the institutionalization of those relationships; but it would be wrong to confuse the order of precedence. Thus covenantal relationships and the institutions built upon them stand in great contrast to hierarchical ones in which every person has his or her place in the political or social pyramid at a higher or lower level, with the higher ruling the lower, or to a system where a natural elite gravitates to positions of power that it retains unrestrained. The covenantal basis is the true, some say the only, basis for democracy.³

From its biblical origins, through which it entered first Jewish, then Western, and finally world civilization, the covenant idea has been the central value concept promoting human freedom and equality. The original biblical covenants were between humans and God. The very idea that the two could be joined in covenant was quite radical and involved the limitation (in biblical terms, the self-limitation) of God by entering into covenants with humans, which, if they did not make humans the equals of God, made them equally responsible for the tasks embodied in each covenant. Much later the Reformed Protestants of Western Europe and the Puritans of England recognized the daring quality of this claim and erected upon it the ideas that became the foundations of Western democracy.⁴

Such Jewish ideas as *tzimtzum* (contraction), God's partial withdrawal to make space for the world including humanity, and the view dominant throughout Jewish history that humans can indeed argue with God and attempt to convince Him to change His course of action, are all grounded in this fundamental covenantalism. According to this view, God may be all powerful, but He does not rule humans hierarchically and thereby empowers humans to rule themselves. In the final analysis, this may be the ultimate Jewish value. Culturally, Jews are covenantal through and through, regardless of whether they are religious or secular. The fact that the State of Israel was built upon hierarchical European models while the people of Israel share a very different cultural tradition generates many of the dysfunctional elements in Israeli society. Individuals whose cultural expectations are covenantal have to work within a system whose institutional structures are hierarchical and thus develop devices to bypass formal procedures.⁵

Covenantal principles lead to the establishment of partnership relations based upon the fundamental equality of free people, in such a way that actions and agreements are achieved through negotiation and bargaining. Negotiation and bargaining, to be covenantal, must be conducted with *hesed*, that is to say, in a spirit of *hasidut* with the parties recognizing that they are negotiating with covenantal partners and hence must be prepared to go beyond the letter of the law (*lifnim meshurat hadin*).⁶ *Hesed*, which is sometimes translated as "grace" and sometimes as "lovingkindness" is not fully translatable into English, but it is best understood as the loving fulfillment of the obligation flowing from a covenant bond. I use the term covenant-obligation as the equivalent of *hesed*. A person who acts with *hesed* is called a *hasid*, that is to say, one who builds a

life around the rendering of *hesed* to his covenant partners. The whole concept of *Hasidism* in Jewish life, both in the biblical period and subsequently, is an outgrowth of this dynamic approach to covenantal relationships. Otherwise, the relationship becomes simply contractual with each side only interested in maximizing its own advantage. The Bible pairs *brit ve-hesed* over and over again as do the classic texts of Jewish tradition.

At the same time, Jews have recognized that life is not merely a set of covenants but also rests on an organic dimension and that the solidarity among kin is fundamental to human and particularly Jewish existence. To this day, the Jewish sense of kinship and solidarity is legendary.⁷ Jews have made this solidarity a norm for all peoples as separate peoples and, collectively, as human solidarity. The Bible presents humanity as having two foundations: one, the common descent from Adam and Eve, and the second, their common binding through God's covenant with Noah after the Flood, which establishes the rules by which humans must live. A society organized on the basis of an appropriate combination of kinship and consent is normative for Jews.⁸

A second comprehensive Jewish value concept that serves as a central pillar for all Jews and for the Jewish state is that of *re'ut* (neighborliness) as in *veahavta le re'akha kamokha* (love thy neighbor as thyself)—The Golden Rule. *Re'ut*, a concept that appears first in the Bible and subsequently in rabbinic literature, deals with the kind of solidarity that a territorially-based community should have. In a sense it is both an extension of and a limitation on the value concept that holds all Jews *arevim ze la-ze* (guarantors for one another) because of the links that bind them. While *re'ut* has been variously interpreted, it not only offers the possibility for solidarity among Jews but also between Jews and non-Jews when the non-Jews fit into the category of *re'im* (neighbors). While many rabbinic sources limited the concept to relations among Jews, the Bible leaves the matter open. Community solidarity, the logical extension of *re'ut*, is a particular characteristic that the Jewish settlers of Eretz Israel sought to foster in the Yishuv and in the state, and remains a hallmark of what, in Jewish eyes, makes for a good commonwealth.

A third core value concept is that of *tzedakah u-mishpat* (just law and judgment), the fundamental justice that is built into the world and is anchored in the fundamental law governing human relations. *Tzedakah u-mishpat* is the biblical-Jewish equivalent of natural law in Greek and Western thought, except that in its Jewish origins it rests on God's creation and covenants described in the Bible. As a value concept it has been a critical motivator for Jewish life, especially political and social life.

All three of these fundamental value concepts are challenged by the present situation. The Jewish sense that Jews are *bnai brit*—covenanted to one another—is challenged by the ideological polarization of religious and secular Jews in Israel, and the diminution among the latter of the sense that Jews are perforce bound together by the reality of their position in the world, not by Divine commandment. The idea of *re'ut* is under assault principally through the

spread of Western-style individualism in Israeli society, with its materialistic and hedonistic elements that diminish both the sense of solidarity and the perceived demands for it. In essence, those who advocate civil society on the Israeli scene do so at the expense of those elements of *re'ut* that promote solidarity. *Tzedakah u-mishpat* are under challenge in Israel because of the demise of socialism, the modern ideology in which they were rooted. That demise itself reflects the reality that socialism, which was intended by its adherents as a modern secular way to embody the aspirations of *tzedakah u-mishpat*, created its own injustices and distortions. While the ideology of socialism has been abandoned and so, too, have many of its practices, nothing has yet emerged to take its place for secular Israelis, and many still have a certain nostalgia for socialism as an ideal even though they no longer desire its practices.

Of these three embattled value concepts, perhaps *tzedakah u-mishpat* will most quickly reassert its claims. *Re'ut* may be expanded to include non-Jews, particularly Arabs, in the immediate neighborhood, although it will probably do so first through lip service, then through public expressions, and only later through actual belief. *Brit* may also make the transition, but that will be in many respects the most difficult. Jews the world over still adhere to the sense that all Jews are *bnai brit*, literally children of the covenant, which means that their social order is shaped by their common covenant. Nevertheless, this idea of covenant may be supplemented by the sense of having similarly appropriate kinds of associational relations with Israel's neighbors or, for that matter, with others in the regions of which Israel is a part (the Mediterranean Basin and West Asia) or more likely, with people Israelis see as kindred wherever their geographical location. One thing that stands to contribute to the reinterpretation of the idea of *brit* is the kind of compactual connection that emerges among the nations and states of the world as a result of what is generally referred to as globalization.⁹

Humanistic (Universal) Jewish Values

Humanistic Jewish values are those that almost everyone would agree are valid in all times and places for all human beings. They are the values at the core of Western civilization and, indeed, are either fully or substantially derived from the Bible and Jewish sources. They are strongest in lands and among peoples strongly influenced by the Bible and its covenantal worldview, including Protestant Western Europe, the United States, Canada, Australia, and New Zealand, as well as Israel. Since those are the countries and peoples that contemporary Israelis seek to emulate, those values are even likely to be reinforced by the greater involvement of Israel with the larger world. Since they are rooted in Jewish culture and represent many of the core values of Western civil society and liberal democracy, even when parts of the West retreat from them the Jews remain their most powerful partisans. This is the case in the United States. As Americans have grown wealthier, they have moved from the humanitarian liberalism of the 1930s to a new conservatism. The exceptions are the poor,

those still struggling for social acceptance, and the Jews, who, despite the fact that they have both “arrived” politically and socially and have become wealthy economically, remain committed to the social values of the old liberalism. There is no reason to expect that a similar development will not occur in Israel as it achieves greater peace and prosperity over the next thirty years. It is only to be expected that there will be those who take some values more seriously than others, but there is every reason to anticipate that the dominant values in Israel will continue to be derived at the very least from these universalistic values of humanitarianism and social justice which Jews have acquired over the centuries from the Bible and Jewish tradition and which they have modified in light of their different collective and individual life experiences. Israelis will have to find ways to adapt these abstract values to the concrete and specific situations that they confront, but they very likely will make the effort to do so. Consider the recent disputes over building the bypass roads in the territories between those who want the roads to be built as rapidly as possible so the peace process can continue in the field, and those, including some of the strongest supporters of that process, who are worried about permanent damage to the environment.

Such values focus on matters of planning, encompassed by the idea of *yishuv haaretz*, which concerns not only the settlement and development of the land but also the protection of its environmental quality in the course of that development. *Yishuv haaretz* includes such concepts as *bal tashkhit*, the prohibition of senseless destruction of the environment, even in times of war. The laws of sanitation, the sabbatical laws, the need to reinvigorate the earth by allowing it to lie fallow periodically, also fall within this category.

Even in biblical times, all three of these dimensions were present, receiving differing emphases at different times. For example, in the years of Zionist pioneering in the resettlement of the land, the emphasis was on developing a barren and exhausted land and populating it with Jews. As a result of that effort, at one and the same time, Israel was turned green and productive, but parts also have been injured through improper development. In recent years, with the sense that the basic development of the land has been more or less completed, and population pressures have grown, the emphasis has shifted to environmental concerns. As of yet, Israel is not at the forefront in showing concern for environmental problems, since it is still in the process of transition from the old developmental philosophy to the new. Still, this transition is likely to be completed over the next thirty years, and environmental concerns are likely to become predominant, although how predominant is an open question since the needs for development will grow apace with the growth in population and the sharing of territories with the Palestinians.

Though it is unlikely that this environmentalism will develop by direct reference to Jewish sources and ideas, its Jewish basis will nonetheless be present as its subtext. As in other contemporary Jewish values (democracy, for example), it will come to us as those sources and ideas have been filtered through Western civilization, reinterpreted in contemporary form.

Bnai Noah (literally: the children of Noah) deals with the unity of humanity and the place of all humanity in covenant with God. Derived from the biblical covenant that God made with Noah (Genesis 9), it underlies the Jewish basis of both human equality and law and order in the world. The talmudic sages derived the seven Noahide laws, a Jewish equivalent of natural law, including the prohibition against theft, murder, and idolatry, the necessity to establish courts of justice, as well as not tearing flesh from living animals for food. In the traditional sources, the seven Noahide laws prohibit idolatry, blasphemy, bloodshed, sexual sins, theft, and eating from a living animal, and positively require the establishment of a system for the administration of justice to enforce the prohibitions. Other prohibitions followed from these. For example, both military conquest and dishonesty in economic life are prohibited under the prohibition of theft. Positive injunctions to practice charity, to procreate, and to honor the Torah similarly are derived from the Noahide laws.¹⁰

The essence of the Noahide covenant is that we are all equal in our descent from Noah, and therefore must relate to one another on the basis of mutual respect. Even more than in the case of *yishuv haaretz*, these values have entered Western civilization and now function at its cutting edge, from whence they have been returned to Israel, where, sad to say, many Israelis are not even aware of their Jewish origin. Nevertheless, those laws have come to influence the interaction of peoples and states in the world and will continue to do so.

Tikkun Olam (the repair of the world) addresses the reform or reconstruction of the world along lines that will lead humanity toward the implementation of its ideal visions. The very idea that humans can improve the world and that history is ultimately progressive entered Western civilization from the Bible through the Jewish people and Judaism with its offshoots, Christianity and Islam. In the modern epoch, those ideas were secularized through modern revolutionary movements that placed great emphasis on the reconstruction of the world. To the extent that they left out the religious constraints on human excesses, they failed and brought more misery than progress.

Today the world seems to be tired of the kinds of ideologies that secular revolutionary movements represented. Yet among Jews with a strong culture of social consciousness, the idea of *tikkun olam* not only remains strong but, among North American Jews at least, has become articulated as a central value. This rearticulation of *tikkun olam* has yet to come to Israel in the same way, but is likely to emerge in the next generation as Israelis come to terms with their values as well as material aspirations.

What constitutes *tikkun olam* at any particular time is an open question, but this concept invariably embraces the values of humanitarianism and social justice, however interpreted. Earlier this century, socialism, as an assault upon radical economic and social inequalities, offered a path for many Jews. Today, many of those who advocate reform as *tikkun olam* are at the forefront of the movements striving to prevent the abuse of spouses, children, and animals and

improve participation in society of the disabled. All of these causes have come to Israel in one form or another and are likely to be even more important on the Israeli agenda if the peace process is successfully completed and Israelis gain the time to respond to other issues that will touch their social consciences.

To date, there is no Israeli equivalent of the backlash against social democracy and the welfare state that has spread widely in the West. Some of that backlash is simply the result of increased privatism and even selfishness in the Western world, but some of it is principled and makes its case in terms of the same concerns for *tikkun olam*, that is to say, a belief that those concerns are best achieved through free markets and private initiatives including public but nongovernmental voluntary activity and philanthropy. Under the socialist ideology that informed so much of the old Israel, it was held that if something was worth doing publicly it should be done by government and not by private philanthropic effort, which was just the reverse of the view dominant in the United States and other Western countries that Israelis now try to emulate.

It is very likely that with the great increase in prosperity and private wealth in Israel, Israelis with means will begin to make some share of that wealth available to voluntary organizations designed to undertake humanitarian and social missions. They will thereby increase the role of the public nongovernmental sector in Israeli life in two ways: by giving it more resources, and perhaps most important, by detaching it from a dependence upon government financial support.

***Darchei Shalom* (ways of peace)** is in certain respects the complex of value-concepts most overtly prominent among Jews, both religious and otherwise, who constantly call for peace for Israel and the world in prayer or song or other forms of expression, no doubt because Jews have suffered so greatly from its absence. Israel is now engaged in a peace process that is attempting to close the period of conflict with our immediate neighbors, while the world as a whole is engaged in a peace process that led to the end of the Cold War and now has taken a new turn, seeking to end local conflicts, especially long term ones that have engaged people beyond the boundaries of the conflict.

Israel's peace process is perhaps a classic example of the combination of ideals and self-interest that characterizes the best in humanistic Jewish values. Jews are at the forefront of almost every peace movement, individually or collectively, and those Jews seemingly among the least attuned to an overt recognition of the place of Jewish values in our society are among the most active in the struggle for Israel-Arab peace.

The peace process is likely to be dominant in Israel at least for the first half of the coming generation and, indeed, will undoubtedly be involved in the clash of values between those who see peace as a preeminent value and those who see other Zionist and Jewish values as equally if not more important. The question before us will be to what extent will this be viewed as a clash among Jewish values and to what extent as a clash between Jewish and other values. If the conflict of values is recognized for what it is—as a conflict among Jewish

values—Israel is likely to do better in preserving its Jewishness and its solidarity as a society than if this becomes a conflict between “Jewish” and “democratic” values and the “Jewish” values are seen only as the more parochial ones.

Zionist Values

At present Zionist values are in something of a retreat or eclipse in the face of the search for peace with Israel’s neighbors and prosperity for Israel’s people. Neither search need be seen as contrary to Zionist values, but the experience of Zionism makes them seem to be so for some people in the short run. While some of these Zionist values have been displaced, either because the Zionist achievement has pushed them from center stage or because other considerations have obscured or confused them, there is every chance that some will survive. As we saw at the time of Yitzhak Rabin’s assassination, especially for secular Israelis, Zionism is the “faith of the fathers,” to which people turn in times of crisis for solace and reassurance. Now there is likely to be a struggle within Israeli society between Zionist values as originally understood or as reinterpreted, and other interests or drives.

***Bayit Leumi* (a national home)** is a complex of value-concepts at the center of the Zionist enterprise, the rebuilding of the Jewish national home in Eretz Israel. Now that the original Zionist pioneering stage has ended, Israelis must redefine what Israel means as a *bayit leumi*, as a *bayit* (home), and from a *leumi* (national) standpoint in an age of greater universalism, especially a spreading universal world culture at both popular and elite levels.

***Medina Yehudit* / *Medinat Hayehudim* (A Jewish State/A state of Jews)** is full of conflict-producing questions. Is Israel a Jewish state or a state of Jews, i.e., just happens to have a Jewish majority? Is Israel engaged in the struggle between Judaism and democracy? In my opinion, the last misstates the question. The use of the term “democracy” in that way is a code word for trying to end Israel’s existence as a Jewish state. So, too, for the left, Judaism is a code word for Jewish religious fundamentalism and a state governed by a fundamentalist understanding of *halakhah* (Jewish law) as interpreted by fundamentalist rabbis. Whereas humanistic Jewish values can be unifying since they bridge religious, traditional, and secular Israeli Jews the struggle over Zionist Jewish values has produced conflict between various segments of the Israeli population and is likely to continue to do so. This struggle could be disastrous for Israel, becoming a *kulturkampf* of major proportions, detaching Israelis from their moorings, or it can be the basis for serious new thought leading to the successful synthesis and adaptation of Jewish values for a new Israel committed to achieving the purposes of Zionism in a new generation. If the questions considered by the Israeli public continue to be phrased as they have been in the past, then the former is likely to be the case. If they are rephrased in more appropriate ways to ask “what kind of democracy?,” “what kind of Judaism?,” then they could begin to find a very productive synthesis.

Until now the extremists on either side of this issue have determined how the questions will be asked. What is extraordinary in the case of both is how little attention they pay to authentic Jewish political traditions. Neither Biblical or Talmudic description of political practice or that of other classic Jewish texts nor the history of their application in Jewish communities and polities throughout Jewish history has informed the arguments of extremists on either side. Perhaps this is a result not only of ideologies but also of the conventional view of Jewish history that emphasized Jewish suffering, or emancipation, and the abandonment of Jewish communal autonomy and collective identity, except in religious matters. In addition, Zionism was founded on a myth, subsequently disproved by the great Zionist historians such as Yitzhak Baer, Ben-Zion Dinur, and Haim Hillel Ben Sasson, that when the Second Jewish Commonwealth was destroyed, the Jews disappeared as a collectivity from the pages of history—meaning political history—and that Zionism would restore the Jewish people to the world stage as a political entity as a necessary part of the Zionist revolution. Both of those worked not only to obscure but also to hide the Jewish political tradition and experience—when in fact both testified to a moderate, rather centrist record of communal autonomy and democratic decision-making, at least relative to the times, within the framework of Jewish belief and law.

This poses another problem. Present Israeli thinking about statehood is essentially the same as it was at the beginning of the Zionist enterprise a century ago when statism—the idea of the totally independent and self-sufficient state—was dominant in the world. Today, that kind of statism has faded. While states will continue to exist, and peoples that do not have a state of their own will continue to demand statehood, the kinds of states that will exist in the new world will be neither totally independent nor self-sufficient; rather they will be constituent units in a new world order that will involve substantial interdependence, economic and otherwise, with great limitations on political sovereignty for all polities. This has already happened, in practice, and is already more of a reality than has been recognized. Regional arrangements of a federal or confederal character are becoming more widespread, as the examples of the European Union, the Commonwealth of Independent States, or even the Caribbean Community suggest. Larger regional economic, defense, and rights protection arrangements such as the North American Free Trade Association (NAFTA), the North Atlantic Treaty Organization (NATO), and the Office of Security and Cooperation in Europe (OSCE), while formally still a set of treaties, actually are becoming more constitutionally binding upon their members. All of this is taking place within a world system that includes almost everyone. Paradoxically, these developments make it easier for small states and polities within these regional and world systems to define themselves in terms that are particularly designed to preserve their own separate identities and cultures, even as the mass media and the market promote globalization, which threatens to undermine local cultures. Israel will have to redefine itself

within this new context so that the values intrinsic to a Jewish state are in some way maintained within this new setting.

Eretz Israel (the land of Israel) deals with the land itself, its ownership, control, and use. Quite obviously, Israel and Zionism have reached a cross-roads with regard to *Eretz Israel*. After the turnabout in 1967 when it seemed that the 1947–49 partition of the land west of the Jordan was repealed as a result of the Six Day War, Israel now finds itself going back to a repartition. But is it? What will happen to the settlements established in the territories after 1967 and to other Israeli interests such as security and water in any repartition is a matter on the active public agenda and is the center of a serious conflict of values, perhaps the most serious in Israel's history. It is likely to continue to be so for at least the next decade and perhaps even beyond.

Even more than that, Israel's peace with Jordan and the outlines of its peace with the Palestinians suggest that simple repartition will not occur; rather, confederalization in ways not dissimilar from other parts of the world will turn out to be integral to any peaceful solution if it is to work. At the very least, strong economic interconnections and the handling of many tasks from environmental problems to promoting tourism will be overseen by joint authorities for Israel, the Palestinians, and Jordan. Thus, if Israel gives up primary control, it does not necessarily mean that Israelis will not be able to maintain a strong relationship to *Eretz Israel*, backed up by at least secondary status throughout the historic land of the twelve tribes.

Here, the Jewish value of *Eretz Israel* publicly expressed actually stands in the way of its achievement, by frightening our neighbors and awakening their fears that Israelis are still pursuing expansionist goals in the very act of implementing the peace process. Still, while Israeli Jews may accept a smaller territory for *Medinat Yisrael* (the state of Israel), all of *Eretz Yisrael* will remain a matter of special concern for them. Confederal ties with their Palestinian and Jordanian neighbors may make it possible for Israelis to give expression to this value in ways other than political sovereignty for the benefit of all three entities.

On the other hand, *Eretz Israel* may also be understood as a value concept concerned with use of the land. In other words, viewing the land as having a special sanctity should lead to a more respectful and caring attitude toward it that requires better land use. Just as in pre-state days, this value led to a policy of land acquisition that emphasized common national ownership by the *Keren Kayemet LeYisrael* (Jewish National Fund) in the name of the Jewish people, respectful land use may acquire an ecological dimension in the name of the Jewish people that would otherwise be absent were the matter to be left entirely to market forces. This could be one of the greatest contributions that Jewish values will make to the coming generations of Israelis.

Techiya Yehudit (Jewish revival) concerns the role of Israel in the revival of Jewish civilization, Jewish life, and the Jewish people from a Zionist perspective, both secular and religious. This is likely to prove one of the most divisive issues during the next generation since what constitutes the revival of

Jewish civilization, Jewish life, and the Jewish people are all contested matters. To give only a few of many examples: Should the Jewish people mean only those Jews in Israel or include both Israel and the diaspora? Should the Jewish people be open to those who accidentally or unintentionally find their way into it, or should we demand higher levels of commitment for belonging? Should Jewish life be religious, or is it enough that it be the life that Jews live at any given time? Does it have special standards or requirements? Are the historic standards and requirements still valid or should new ones be developed? What constitutes Jewish civilization and how is it best maintained and fostered?

Indeed, Zionism has always been divided into two camps, those who saw the Zionist enterprise of restoring the Jewish people to their land as the first step toward normalcy, and those who saw it as a means of restoring the Jewish spirit in its most productive sense. These two camps go back to the very origins of Zionism. Herzl saw the Jews striving to be like all other nations but able to do so only if they were settled in their own land, while Ahad Ha'am and the Religious Zionists saw the rebuilding of a Jewish national home in Eretz Israel as the best, if not the only, means of reviving and reconstructing Jewish civilization under modern conditions. From the first, the two approaches lived within a certain uneasy tension that was possible because they needed to work together to achieve their shared immediate goal of re-establishing the Jewish people with their own governing authority in Eretz Israel. After the re-establishment of the state, the necessity to defend it against the neighboring Arab states and peoples made consideration of those basic differences a luxury that Israelis could not afford. While Israel was under siege, those two camps had enough in common to hold themselves together as one. Today, however, the prospect of peace has divided them in the most profound and contradictory ways, placing them in strong opposition to one another.

Nevertheless, most Israelis still combine their desire for normalcy with their desire for some degree of Jewish life. For example, in the 1993 Guttman Institute religious behavior poll, there is no recognition of the great schism between those who believe that Jews are religiously obligated and those who view their Jewish religious behavior as simply the maintenance of the customs of their fathers, which may be good for the children as well. In operational terms, most of the first group can be expected to stand firm on matters of Jewishness, while most of the second will, in the last analysis, usually go with the dominant trends in society since other matters ultimately will be more important for them. This is a historic struggle, not only within the Zionist movement, but throughout Jewish history, between Jews who seek normalcy and Jews who feel in some way obligated or bound by their Judaism. Indeed, much of the falling away of Jews in the past as well as the present probably has had to do with that struggle and the side different people chose. All of these questions are controversial today, as is the central question: Is *techiya yehudit* still an important Israeli goal? The next generation will be critical in providing answers or at least a framework for continuing discussion of these issues.

The Jewishness of the Jewish State

These value concepts involve the norms of Judaism that deal specifically with the Jewish people, even more specifically with the politically independent Jewish people in their land.¹¹

Critical here are questions of what kind of polity a Jewish state requires. This question has been framed in two ways. Secular Jews (*Hilonim*) have phrased it as *medinat hok mul medinat halakhah* (a state based on civil rather than religious law), and religious Zionists have phrased it as *halakhah u-mishpat hamelukhah* (religious law and the civil law linked to it). Both of these questions are value questions that must accommodate each other's claims to a certain extent if a fruitful discussion is to take place.

Another question of concern is to what extent, and in what areas does, can, or should pluralism legitimately exist within a Jewish state. Most of these questions, when raised, become public issues, often in distorted ways, but they have to be treated as issues in the public eye and their resolution will have a public character. Having to debate these issues in the public realm offers great educational opportunities, but also presents the possibility of great distortions, especially when the media tend to concentrate on extremes that provide more interesting "copy" than do more sober assessments of the issues. Clarification of the terms of the debate on these issues will be a major task before the Israeli public over the next generation.

Edah (assembled community or congregation) is the biblical term for describing the Jewish people in its organized political form. In the Bible, the formal name of the Jewish polity was *Adat Bnei Yisrael* (assembled congregation of the sons of Israel), reflecting both its republican and federal character. This complex of value concepts addresses the role of the state and other public institutions in giving expression to Jewish religious and cultural matters. To what extent will the state institutions of Israel continue to give a favored position to Jewish matters and to what extent will they seek to become a neutral instrumentality? What will the state undertake and what will be undertaken by public nongovernmental bodies not part of the state apparatus? Will the Jewish national institutions such as the Jewish Agency, the Jewish National Fund, Keren Hayesod, and the World Zionist Organization acquire more of the specifically Jewish functions of an increasingly neutral state? These are issues that are likely to be at the top of the state's Jewish agenda over the next generation.

Superficially, Israel looks as if it is polarized between *hilonim* and *haredim* (ultra-religious), with the *hilonim* demanding separation of religion and state to the maximum extent possible and the *haredim* seeking the reverse. In fact, a much more nuanced situation prevails. According to the Guttman Institute survey of 1993, 20 percent of Israelis define themselves as secular (*hiloni*) and, of this group, three-quarters maintain some observances and only a quarter (5 percent of the overall total) claim to observe nothing. On the other hand, some 25 percent consider themselves *shomrei mitzvot* (observers of the commandments) in the traditional sense, two-thirds of whom are religious Zionists and

a third *haredim*. The other 55 percent fall into the *masorti* (traditional) category whose beliefs and observances range from the very modest to the virtually Orthodox. Ninety-eight percent of Israel homes have mezuzot on their doors. Some three-quarters of all Israelis have a Passover Seder, and close to that percentage fast on Yom Kippur. In a 1996 survey, 70 percent indicated that they either had or were hosted in a sukkah on Sukkot. Over two-thirds state that they believe in God, and over half believe in *Torah miSinai* (God's granting the Torah at Sinai). On the other hand, only a quarter believe that God obliges people to follow the precepts of the Torah. When compared with other studies, it seems that the *masorti* group is slowly moving away from traditional practices but not changing much in the realm of belief. The *hilonim* tend to dominate the upper levels of the Israeli establishment, especially members of the talking classes, hence theirs are the views most frequently heard.

In the early days of the state, the moderates in both the religious and non-religious camps jointly controlled policy-making in the area of religion and state for Israel. Since the Six Day War, however, the extremists in both camps seem to have displaced them in terms of setting the direction for policy-making. The moderates in both camps are likely to want some continuation of the public observance of Jewish tradition along with maximum possible freedom for private choice in the matter. Whether this leads to new policies will be one of the issues on the agenda over the next generation.

As far as the relationship between Judaism and democracy is concerned, the very term *edah*, as implicitly defined in the Bible and subsequent Jewish tradition, reflects a republican political order and, for that matter, a rather democratic republican order, albeit one within the framework of God's commandments as interpreted by the human authorities of the time. In essence, God and the people shared jurisdiction. While this understanding can be interpreted in various ways, there is no requirement that it be interpreted as the *haredi* extremists suggest. Indeed, there is much precedent in Jewish tradition for alternate interpretations. Working to bring together the Jewish political tradition and the opportunities of modernism offers the best opportunity for shaping the result in a manner suitable to the vast majority of Israelis.

***Am Segula* (literally, a treasured people)** looks at the question of Israel's Jewish uniqueness and the tension between it and the desire for normalcy in Israeli society. This will be a major struggle in the coming generation and it is foremost a struggle of competing values.

***Brit Arevut* (the covenant of mutual responsibility)** raises the issues of solidarity among Jews in Israel and between Israeli Jews and the Jews of the diaspora, including the sense of Jewish peoplehood that goes beyond Israeli citizenship. Part of the division between Israeli-ism and Jewishness focuses on two questions: What should be Israeli Jews' relations with their diaspora brethren? Is there a Jewish people that extends beyond the State of Israel? Part of the value system of those advocating normalization calls for shedding the burden of Jewish peoplehood and of a Jewish diaspora. Those who view Israel

as the bastion of Jewish life and civilization see it maintaining as close a relationship with the diaspora as possible. Israel, for them, is the center of a worldwide Jewish people.

Meanwhile, for those who wish to keep Israel as a Jewish state there is an interest in reinventing Israel-diaspora links. It is clear to all that the issues that have bound Israelis and diaspora Jews until now are no longer sufficient. As Israel achieves peace with its neighbors and becomes more prosperous, and as fewer Jews need to be rescued from the diaspora and brought to Israel because of their troubles in their countries of origin, the old "philanthropic" or "relief and rescue" approach to Israel-diaspora relations will be increasingly recognized as inadequate. This sea change offers a great opportunity to rebuild these relationships on more positive and pro-active grounds. No longer is Israel a poor relation that needs sustenance, nor are there masses of Jews in the world that need to be saved physically. Instead, the Israel-diaspora relationship should be built on common interests and common interpersonal ties. These ties will come through families and friends who have members or counterparts in Israel and in the various diaspora communities. The common interests must revolve around the desire to remain Jewish and the need to work together to foster that result. The diaspora, too, is composed of these same two camps, though neither has made resettlement in Israel the touchstone of the division. Those who seek normalcy in the diaspora can simply assimilate as individuals and quietly steal away, as it were, without any ideological struggle or fanfare, while those who seek to perpetuate Jewish life and civilization at best can lean on the neutrality of the state in which they live but cannot expect positive action on its part to help them pursue their goals. Still, the new division in Jewish life will not be between Israel and the diaspora but between those Jews who seek to be "like all the nations" and those who seek to perpetuate their Jewishness.

For more than a decade Israel's educational system has placed its greatest emphasis on fostering skills that will help students earn a living and compete on the world scene. This means that emphasis on English language, mathematics, and similar instrumental skills have taken preference over the transmission of either the Israeli or Jewish heritage. This has come at a time when media influence on the values and habits of people has reached unprecedented proportions in Israel. That influence is in the direction of a universal culture, mostly pop, but also a universal elite culture. In either case, it constitutes a challenge to, if not an assault on, most elements of Israeli and Jewish culture that from the media perspective take on a particularistic appearance.

The experience of other countries has shown that a five- to ten-year interruption in the teaching of any subject matter will produce a generation that knows little or nothing of that subject matter. Israel is no exception, and a new generation has emerged that knows little about its Zionist past or its Jewish heritage. This generation also lacks any sense of the degree to which their humanistic values have roots in Jewish sources, and it has received almost no education in Zionist or other Jewish values per se. Unless this trend is reversed,

we can expect that the overt role of Jewish values in shaping Israeli society will further diminish, and those values will continue to count only to the extent that they are embedded in the culture—that is to say, below the level of conscious awareness, except insofar as those who remain religious express them. And the strong tendency for the non-religious to assume that what the media bring them as the *haredi* response to these issues is the only religious response further undermines all Jewish values. While the cultural expression of values is not to be denigrated, without reinforcement it becomes, in the last analysis, a form of living off the spiritual capital of the past, and as that capital is used, it is necessarily diminished.

The next thirty years will be decisive in determining whether or not conscious concern with Jewish values of any kind will continue to have a place in Israeli society. For the vast majority of Israelis who are not educated in Israel's religious schools, a major discontinuity could develop with a serious impact on Israeli society. At this point in our knowledge of human behavior, one would be hard put not to recognize how important heritage is in the transmission of civilization and the maintenance of loyalties necessary for any society to survive and flourish. Hence, Israel has entered a very dangerous situation that needs to be examined and addressed immediately.¹² A serious effort must be made to identify the core Jewish values that are part and parcel of our Jewish heritage and of central concern for a Jewish state, and, after identifying them, the effort must be made to educate people in those values.

Zionism emphasized just those humanistic Jewish values as the best, indeed for some the only, way to express their Jewishness. That achievement was to be the justification for a Jewish state among those who shared the ideology of universalism which was so much a part of late nineteenth- and early twentieth-century progressivism. If the descendants of those Zionist pioneers often no longer recognize the Jewish character of the values they have inherited, then so much the worse for Israel. Israel undoubtedly would be a better place if more effort were made to develop the present expressions of those values within the framework of traditional Judaism rather than from the Zionist tradition alone. This would strengthen the sense of a common heritage for the new generation which, as every other society has found out sooner or later, needs to have a sense of heritage for its own sense of identity and worth. It would also make it possible for the new generation to understand how being Jewish will not only strengthen Israel but enable the Israelis of the future to participate in the emerging world civilization with pride.

NOTES

1. Max Kadushin, *The Rabbinic Mind*, 2nd ed. (New York: Blaisdell Publishing Co., 1965). Max Kadushin, *Organic Thinking: A Study in Rabbinic Thought* (New York: Jewish Theological Seminary, 1938). Here a note on methodology is in order. This essay follows from the work of

Max Kadushin who authored several books exploring the thought process of the Talmudic sages and understanding of the norms emphasized in talmudic sources, especially *The Rabbinic Mind* and *Organic Thinking*. In those books he presented rabbinic thought as based upon a number of what he referred to as “value concepts”; that is to say, core ideas designed to express certain values which were not so much precisely defined as expressed through midrashic commentaries to build an edifice of ideas. To paraphrase to Kadushin’s approach, rather than setting out basic definitions of those value concepts within definitional frames in the manner of Greek philosophic thought, value concepts are built like the oases of Eretz Israel and this region. They start with a central core around which are added various elements over time, with those closer to the center being the more critical to understanding the value concept. Thus value concepts and complexes of value concepts express the fundamentals of Jewish thought in the area in question and have in that way become parts of Jewish culture, able to be developed, expanded on, or redirected in every generation according to the needs of time and place. The Jewish values discussed in the following pages are value concepts of relevance both to the internal development of Israel and in Israel’s relations with its region and the larger world. They will be discussed drawing upon Kadushin’s methodology.

2. Daniel J. Elazar, *Covenant and Polity in Biblical Israel: Biblical Foundations and Jewish Expressions*, Vol. 1 of the Covenant Tradition in Politics (New Brunswick, NJ/London, UK: Transaction Publishers, 1995).

3. Daniel J. Elazar, *Kinship and Consent: The Jewish Political Tradition and Its Contemporary Uses*, 2nd ed. (New Brunswick, NJ: Transaction Publishers, 1997).

4. William Johnson Everett, *God’s Federal Republic: Reconstructing Our Governing Symbol* (New York: Paulist Press, 1988); Vincent Ostrom, *The Meaning of American Federalism: Constituting a Self-Governing Society* (San Francisco: Institute for Contemporary Studies Press, 1991); Daniel J. Elazar, *Covenant and Constitutionalism* (New Brunswick, NJ/London, UK: Transaction Publishers, 1997); Perry Miller, *The New England Mind* (Boston: Beacon Press, 1939, 1953).

5. Daniel J. Elazar, *Israel: Building a New Society* (Bloomington: Indiana University Press, 1986).

6. Talmud Bavli, Sanhedrin, 56–60; Mishneh Torah, Melakhim, 8–10, 10–12; both with commentaries. EJ, Vol. 13, 348–362.

7. It is even seen by some as a form of tribalism carried over into the contemporary world.

8. Elazar, *Kinship and Consent*, Introduction.

9. Paul F. Diehl, ed., *The Politics of Global Governance* (Boulder: Lynne Rienner, 1992).

10. Cf. *Encyclopedia Judaica*, Vol. 12, pp. 1189–1191.

11. Questions of people, polity, and land have in part been considered in the previous section. Here we need deal only with the question of *halakhic* considerations of what constitutes *Eretz Israel* and what authority Jews have, to determine what they will retain and what they can surrender under different circumstances.

12. The Shinhar report on the teaching of Jewish civilization in Israel’s schools, issued two years ago by a commission appointed by the Minister of Education, has already suggested as much.

As If This Could Be Anywhere

Evening prayers at the Wall
sway through the hour
when the color of its stone
is textured persimmon
that reddens,
then darkens through purple,
and ends in its natural gray,
under spotlights and stars.

The words are less than clear.
Some rise like semaphore,
some sink like hieroglyphic fossils
in stone
broken open for discussion,
argument,
anything short of denial.

In the morning we give thanks
for the return of our soul
and drive to work among
ringing mobile phones
the nervous tones of hourly news,
horns blowing
like jazz along the road atonal
to earn our daily bread
as if this could be anywhere.

GORDON S. RASKIN is a family physician living in Berkeley, California. This is his first published poem.

The Sins of the Fathers: A Theological Investigation of the Biblical Tension Between Corporate and Individualized Retribution

JOEL S. KAMINSKY

MANY SCHOLARS MAINTAIN THAT THE HEBREW BIBLE contains two opposing views of divine retribution: a superior one that portrays divine retribution as individualized and an inferior one that operates on a principle of corporate responsibility. Furthermore, the apparent tensions between those biblical texts that stress the communal aspects of punishment and those that stress the individual aspects are often resolved by placing the various biblical statements surrounding divine retribution into a chronological framework. This viewpoint understands the growth of individualism within the biblical corpus as an evolutionary movement in which the individual slowly emerges from the murky depths of communal obscurity and gradually gains autonomy. In its most benign form this bias leads scholars to date materials that have no clear historical markers simply on the basis of their use of individualistic language.

This argument assumes that texts that stress the individual must be late because such concern could only have developed in the later biblical period. Claus Westermann employs this dubious assumption in his discussion of Psalm 23: "Its transfer to the individual's relationship with God indicates a change towards a greater prominence for the individual, such as we see elsewhere in later Old Testament writings, particularly Ezekiel. Therefore we can certainly conclude that Psalm 23 is a late composition."¹ Not unexpectedly this evolutionary bias often carries with it a tendency to criticize the earlier stages of Israelite culture and religion. Thus J. R. Porter in his discussion of cases that involve corporate retribution clearly depicts an evolutionary movement toward a greater recognition of the individual and toward a superior type of justice. "The Hebrew, it may be suggested, realized as well as we do that, if a particular person commits a crime, he is responsible for it, in a way that even those closest to him, his wife or his son, really cannot be. But his basic recognition was qualified, as far as the operation of the law was concerned, not so much by ideas of 'corporate personality,' as by the notion that a man can

JOEL S. KAMINSKY is Assistant Professor of Religion at Smith College in Northampton, Massachusetts.

possess persons in much the same way that he possesses property and by *early religious beliefs* about the contagious nature of blood, holiness, sin and uncleanness. That we do not share these concepts no doubt makes *our recognition of individual justice more equitable* than it often could be in practice in Old Testament times” (emphases added).² Porter is anachronistic both in his tendency to draw a sharp distinction between secular and religious law,³ and in his subtle preference for describing the former as being more equitable than the latter. For Porter, this anachronistic gloss seems to flow from a pervasive modernist bias that views the sequence of historical periods as a progression toward more refined stages of civilization.

The modern emphasis on individual rights over against the claims of the larger community has often informed interpretations of many biblical passages that address the relationship between the individual and the community in ancient Israel. These have tended to focus on biblical passages in which a ritual violation is followed by some type of corporate punishment such as occurs in Joshua 7 and 2 Samuel 21:1–14. Both these passages include instances of inter-generational retribution in which descendants suffer the consequences of their father’s or grandfather’s sin.⁴ Scholars have often viewed these texts as advocating a set of primitive ideas that were eventually superseded by a superior, more individualized religious impulse. The result has been to brand these theologically troubling texts as aberrations and exceptions that do not reflect the higher aspects of Israel’s religion. There is an equally problematic tendency to exaggerate the importance of texts such as Deuteronomy 24:16; Jeremiah 31:29–30, and Ezekiel 18. These latter texts, it is commonly argued, signal a radical shift toward a new individualism that rejects the older corporate way of thinking. Both the tendency to marginalize the importance of corporate ideas, and the movement to emphasize the importance of texts that stress the individual’s relationship to God, stem from a common modern bias that favors individualistic over community-based conceptions of identity and responsibility.

It is becoming increasingly clear that behind the modern focus upon the individual and his rights lie a series of complex and often obscure philosophical shifts in the conception of the individual and society. Charles Taylor has provided a full account of the complex philosophical ideas that animate the modern mindset.⁵ Recent critics concerned about the growing inability of modern individuals to work together as a community⁶ are beginning to explore these shifts and earlier philosophical traditions; their purpose is to restore the balance between individual rights and societal responsibilities. Perhaps the most prominent philosopher engaged in this task is Alasdair MacIntyre, who convincingly argues that many specific terms and ideas that modern philosophers utilize to construct an individualistic moral system have been removed from the larger communal contexts in which they originally functioned.⁷ He notes that modern moral discourse is hopelessly confused because it has become detached from the larger philosophic tradition that helped define it.

Once this has occurred, it becomes impossible to mediate between the various competing moral claims made by different groups of people.⁸ Furthermore, the problem is exacerbated by our failure to acknowledge that these moral differences cannot be resolved within the current framework. "It is not just that we live too much by a variety and multiplicity of fragmented concepts; it is that these are used at one and the same time to express rival and incompatible social ideals and policies and to furnish us with a pluralist political rhetoric whose function is to conceal the depth of our conflicts."⁹ The only way to resolve the modern moral impasse, according to MacIntyre, is to restore the ties between this modern moral argumentation and the larger philosophic traditions from which it emerged.¹⁰

It should be noted that the previously mentioned secularized evolutionism is sometimes compounded by a specifically Christian supersessionism. In this Christian version, the content of the Hebrew Bible is evaluated through the lens of the New Testament. Therein, the Hebrew Bible is seen as an imperfect expression of ideas that reached fruition in the New Testament period. Thus certain scholars have characterized the religion and morality of the Hebrew Bible as inferior to that of the New Testament. "In the New Testament, the actual point where God and man meet is the human heart. The decisive question is, 'What must I do to be saved?' The salvation here meant is the salvation of the individual soul, and it is a supramundane, heavenly salvation. Compared with this, the Old Testament is on a lower level, for in its pages religion deals in the first instance with national life, although it was out of this national religion that the higher religion of the individual gradually arose."¹¹ Apart from the fact that it is questionable that early Christianity was a religion that focused on the individual as an individual, rather than as part of a community (1 Corinthians 12:12),¹² it is methodologically unsound to read Israelite religion as an imperfect expression of either Christian thought and/or modernist tendencies that emphasize the individual. Although one may eventually compare and critically evaluate various theological systems, this should only be done after the attempt to understand each in its proper historical and religious context. One must try to grasp the deeper meta-language that animates a given theological system. To do otherwise is to bias the investigation from the starting point.

Furthermore, it is precisely such anti-corporate biases, modernist and occasionally supersessionist, that have time and again led scholars to overemphasize the importance of various biblical passages that stress the individual's role. So Antonin Causse, a classic although not recent modernist, comments that, "with the prophets of the eighth and seventh centuries there is a transition from *primitive* collectivism to moral individualism" (emphasis added).¹³ Often Jeremiah and Ezekiel are given credit for discovering or clearly proclaiming this conjectured great religious transformation. Thus Ringgren makes the statement that "clearly the age of Jeremiah and Ezekiel looked upon the individual in a completely new light."¹⁴ And of course Ezekiel 18 is the focal

point of a good deal of this discussion. So von Rad declares in his analysis of new elements within prophecy of the Babylonian and Persian periods: "Ezekiel countered the complaint that JHWH lumped the generations together in wholesale acts of judgment by roundly asserting the contrary—each individual stands in direct relationship to God, and JHWH has the keenest interest in the individual and the decisions which he takes, because he wants to preserve his life (Ezekiel 18). In advancing this view, Ezekiel abandoned the old collective way of thinking. How modern and revolutionary the prophet appears here, this very prophet whose thinking is at the same time so conditioned by sacral orders! Jeremiah too has heard it said that the children had to bear their fathers' guilt, and he too used what was a radically individualistic view to counter the saying (Jeremiah 31:29f.)"¹⁵ That von Rad considers this new individualized thinking superior to the (in his words) "now rotten collectivism"¹⁶ can be gathered from the fact that he praises this movement as modern and progressive, unlike the outmoded "sacral orders" found in Ezekiel's thought. One finds another example of this view in Lindblom's characterization of the thrust of exilic prophecy. "Whereas in the earlier period the community was the main object of the preaching and working of the prophets, the individual now came to the fore in religious teaching. This individualistic trend is particularly evident in Ezekiel and can best be studied in his sayings about individual repentance."¹⁷

Although recent scholarship is generally more cautious and nuanced than earlier scholarship in its attempt to grapple with the both the corporate and the individualized elements of the Hebrew Bible,¹⁸ it is still infected by the individualist bias. The tendency to view passages such as Deuteronomy 24:16, Jeremiah 31:29–30, and Ezekiel 18 as rejecting these older corporate ideas and thus as signaling a major turning point in Israel's theological understanding of the individual and his relationship to God persists. Thus in an essay published in 1991, Baruch Halpern makes the following observation: "Other documents of the seventh-sixth century restrict human punishment to individual perpetrators, but allow that divine retribution may exceed this limit. Yet both Jeremiah and Ezekiel, at the start of the sixth century, accept a doctrine limiting even divine retribution to the individual."¹⁹ An even more recent article claims that the Deuteronomistic historian, who blamed Manasseh for the exile, wrote "in the period when the principle of individual responsibility and retribution was about to prevail over all kinds of collectivism."²⁰

The various views I have cited are historically inaccurate and theologically problematic. On the historical side it seems rather strange that the very period that these authors claim exhibited a growing individualism is the same period in which P, an author(s) who is either influenced by, or has influenced the material in Ezekiel, is completing the work that affirms the concept of communal solidarity (Leviticus 4).²¹ This period also saw the final editing of D as well as the deuteronomistic history, each of which utilizes notions of corporate responsibility.²² If, in fact, the individual began to emerge during the

late sixth century B.C.E., then why did this individualism leave so little of an impression upon the vast literature produced during the Second Temple period? That there are passages within the latest strata of the Hebrew Bible supporting the idea of communal responsibility (Daniel 6:25 and Esther 9:7–10), and that this view is still alive well into New Testament times (Matthew 23:29–36, John 9:2, and 1 Thessalonians 2:14–16) and beyond (*Leviticus Rabbah* 4:6, *Babylonian Talmud Sanhedrin* 43b–44a, *Tanna Debe Eliyyahu* Chapter 12),²³ suggests that there was no simple linear progression from earlier corporate to later more individualized forms of retribution. That scholars have argued for such a progression in the face of much evidence to the contrary suggests that there is an inappropriate evolutionary bias at work.

One only need turn to the theological level to discover the precise nature of this bias. Certain scholars, influenced by Enlightenment ideas that value individualism and implicitly reject the claims of the community, have uncritically accepted the notion that “Ezekiel 18 should be ranked among those passages of the Old Testament that receive special attention in a course on biblical ethics.”²⁴ I say uncritically because these scholars have presumed that it is self-evident that passages like Ezekiel 18 deserve special attention because they believe such passages are indicative of a new, more progressive and theologically superior view of divine retribution. By theologically superior, I simply mean that these scholars believe that the doctrine of individualized divine retribution is one of the most profound and essential elements of Israel’s understanding of God’s character and relationship to the community, while corporate divine retribution is seen as a primitive, marginal and not particularly insightful religious idea.

But is it true that passages like Ezekiel 18 which stress individualized forms of divine retribution are either more illuminating of God’s relationship with Israel or morally superior to the passages that take a more corporate view of divine punishment? It should be noted that it is not my intention to prove that the theology of Ezekiel 18 is inferior to the corporate notions of divine retribution and thus should be dismissed. In fact, I believe that passages such as Ezekiel 18 provide an important corrective to passages like Joshua 7, and thus this more individualized notion of divine retribution needs to be taken seriously. Rather, it is my intention to challenge certain individualist presuppositions that have biased much of the discussion surrounding the various retributinal ideas found in the Hebrew Bible. The most central assumption to be challenged is the view that a more individualized theology of retribution is morally and theologically superior to a more corporate view of retribution.

The only practical way to determine the theological superiority of one set of ideas over the other would be to measure both sets of ideas against certain useful criteria. To facilitate such an evaluation, I have opted to utilize the following three criteria: A theological system should be textually and historically respectful of the tradition to which it claims to speak, it should be true to our common human experience, and it should be theologically coherent and

perceptive.²⁵ Keeping these criteria in mind, we can begin analyzing the theology of divine retribution found in Ezekiel 18, a theology that emphasizes the importance of the individual, and ask whether it is in fact superior to the more standard corporate notions of divine retribution found in the Hebrew Bible. Although my discussion will focus primarily on Ezekiel 18, keep in mind that many of the same points could be made about other passages that focus upon individual recompense.

I have argued elsewhere that although Ezekiel 18 announces that God rewards or punishes each individual for his own deeds or misdeeds (Ezekiel 18:1–20) and furthermore, that an individual is unconnected to his earlier actions (Ezekiel 18:21–32), one should not assume that Ezekiel rejects all forms of corporate retribution or that this passage signals the end of corporate retribution in ancient Israel.²⁶ But inasmuch as many scholars continue to argue that this passage does signal a radical rejection of the notion of corporate retribution, it seems worth exploring the theological implications of such a reading. Let us assume that this passage deserves the attention it often receives precisely because it proclaims a message that announces a new theology of individualized retribution. The only factor in God's interaction with Israel is the current spiritual state of each individual to whom Ezekiel is speaking. Such an innovation is frequently judged to be superior to the corporate ideas often espoused within the Hebrew Bible. It is not particularly difficult to understand why the ethic of individual retribution found in passages like Ezekiel 18 has been so appealing to many scholars.

The biblical tradition stresses two major aspects of God: justice and mercy. The Bible gives attention to both, but clearly, divine mercy ultimately triumphs.²⁷ Theologically speaking, if this were not so, it is unlikely humans would continue to exist (Genesis 8:21, Psalms 51:3, 130:3, and Ezekiel 20:44). Theologians and biblical scholars who celebrate Ezekiel 18 do so precisely because they believe it proclaims both God's justice and his mercy. According to Ezekiel 18, God is just, insofar as he punishes only the guilty and never the innocent; he is merciful inasmuch as he allows even the guilty to repent of their evil behavior. Upon initial reflection this line of thinking seems quite compelling. But once one begins to think about this theology at greater length certain problems emerge.

To begin with, this theology of retribution does not accord with our common human experience.²⁸ This point is eloquently made by Klaus Koch in his discussion of Ezekiel 18. "It may seem right and just that each individual alone should bear the fruits of what he does; but none the less, general human experience tells us that children also have to suffer when their parents suffer. The ties between the generations, and collective liability, cannot be entirely abrogated, even in a nation. (We only have to remember, for example, the intensive discussion that went on after 1945 about the collective guilt of all Germans; or today's anxiety about the burdens laid on future generations by our present treatment of the environment.) If we take

this everyday experience into account, does not Ezekiel go too far?”²⁹ Here Koch is only mentioning the intense connection between various individuals in different generations. The theological difficulty is exacerbated when one goes further, as Ezekiel does in chapter 18, and advocates that a person’s past deeds will have no effect on his current state (vv. 21–32). Ezekiel 18 introduces this radical individualizing of retribution to help the nation see that there is room for repentance, but it is clear that if one takes this theology to its extreme, it no longer speaks to our experience.

When one turns to the category of appropriateness to the tradition, one finds additional difficulties created by the lack of fit between the concept of individualized retribution advocated by Ezekiel 18 and the larger biblical tradition. The idea that the consequences of one’s actions can linger and have great effects later in time is quite common within the Hebrew Bible and is even spoken of in the book of Ezekiel (Numbers 14:26–35, Deuteronomy 4:31, 23:3–6, 25:17–19, 2 Kings 21:10–15, Ezekiel 16:60, 20:23). If one reads Ezekiel 18 as an intentional rejection of this corporate theology, one must acknowledge that the portrait of God in these other passages is primitive and incorrect. Such a view is quite inaccurate and fails to make sense of large portions of the biblical tradition as well as of the Jewish and Christian traditions that develop out of and continue to draw strength from the Hebrew Bible.

But the greatest flaw in the thinking of those who highlight passages like Ezekiel 18 and denigrate the importance of corporate ideas falls under the category of theological coherence. It is presumed that the individualistic perspective of Ezekiel 18 is more perceptive than corporate theology because it is closer to our own modern notions of justice.³⁰ While it is true that Ezekiel 18 may be closer to the modern outlook on justice, it does not necessarily follow that its message is more profound or perceptive than texts that espouse a theology of corporate retribution.

A good way to sharpen this point is to compare the individualist views of Ezekiel 18 to the more corporate theology espoused in Genesis 18:16–33, in which one finds the argument between God and Abraham over the fate of Sodom and Gomorrah.³¹ Comparing Ezekiel 18 to Genesis 18, one quickly notices that these two passages share many elements and that both contain arguments about divine justice versus divine mercy. In fact, some scholars have noted that Genesis 18 wrestles with the same problem raised in Ezekiel 18 but in a manner that was not as theologically developed as Ezekiel 18. This viewpoint is expressed by David Daube in his characterization of Genesis 18 as a midway point between the regressive ideas of corporate punishment and the progressive ideas of individualized punishment. “Probably, communal thinking was so deep-rooted that Abraham could think in no other way; the method of judging a city as one unit was so unreservedly accepted that he never questioned it as such. He noticed what deplorable results this system might produce: but he did not discover its real flaw, the ultimate source of those deplorable results. . . . While he expressed horror at the idea that ‘the righteous

should be as the wicked,' his own proposal implied neither more nor less than that the wicked should be as the righteous. Fettered by the communal principle, he was unable to take the direct steps from communal responsibility to individual responsibility."³² But Daube's negative characterization, undergirded as it is by an Enlightenment bias that favors individualism, may be missing a profound theological point made by the author of Genesis 18. In Genesis 18, Abraham appears to appeal to God's sense of justice (verse 25), but he, in fact, is arguing for mercy. He wants a whole city to survive on the merit of a few righteous men. And God accepts Abraham's reasoning as correct in principle, although Abraham fails to produce enough righteous men to merit saving the wicked inhabitants of these two cities. Genesis 18 is germane to my point on both levels. Not only does it stress the triumph of divine mercy over divine justice, but it also ties the concept of divine mercy to the idea that we benefit, as well as suffer, from other people's actions. Divine mercy is dependent on the idea of human relationality. In Ezekiel 18, God looks as though he is being merciful by judging the Israelites only by their current state. But upon closer scrutiny, one notices that he is judging them by a very strict standard of justice. "In Ezekiel chap. 18 and 33:1–20 the appeal is to the justice rather than the mercy of God; he judges each strictly in accord with his ways, remembering neither past goodness nor wickedness (18:29, 33:20). Not remembering the evil a man has done is not an act of grace, but a principle of measured justice, for God also remembers not the good that a man has done when he turns wicked. This is the *law* for divine judgment" (original emphasis).³³ It is easy to understand that Ezekiel felt compelled to advocate a strict standard of justice in order to force the people to admit their guilt and to allow them the possibility to repent. Nevertheless, I think that the theology of divine mercy found in Genesis 18, and stated very eloquently in Psalms 25:6–11, 51:3–16, 103:8–14; 130:3, is at least as coherent and perceptive as the theology of exact justice that Ezekiel 18 proclaims. Thus it appears that those who claim that Ezekiel 18 espouses a God who is more just than the God implied by corporate ideas, may in fact be correct. But a God who is so rigorously just may be *less theologically profound* than a God who is not always equitable, but who emphasizes mercy more than justice (Jonah 4).

Before one relegates the notion of corporate status to the growing list of outmoded biblical ideas, one should note that important biblical concepts such as God's promise after the flood (Genesis 8:21, Isaiah 54:9–10), Israel's election especially as it relates to the promise to the patriarchs (Deuteronomy 9:4–5), and God's willingness to restore Israel after the exile (Deuteronomy 4:29–31, Jeremiah 31:31–34, Ezekiel 36:22–32) all have a powerful corporate dimension. Additionally, the corporate view of divine retribution recognizes that we humans inevitably commit sins and thus depend on not being judged according to our ways (Job 4:12–21, 7:17–21, 1 Kings 8:46–53, Psalms 51:3–16, 103:8–14; 130:3, Jeremiah 10:24). Even the notion of punishing the children of the sinner to the third and fourth generation may have originally functioned

as a merciful action in which punishment was spread over several generations. Exodus 34:6–7, which many scholars believe is the oldest locus of this formula, contains a list of God's merciful attributes. Also note 2 Kings 20:16–19 in which Hezekiah is happy about a punishment being transferred to his children.³⁴ In fact, it should be acknowledged that because the Hebrew Bible's theology is fundamentally corporate in its outlook, the biblical emphasis on God's relation to a particular community cannot be treated as an early, but now irrelevant, idea.³⁵ The Hebrew Bible's message is not directed to a loose configuration of individuals but to a living community called the people of Israel. God requires a holy congregation in order that he might live among them and by doing so make himself manifest to the larger terrestrial world (Numbers 35:34, Isaiah 33:13–16).³⁶

This same point can be made, *mutatis mutandis*, in relation to the New Testament. Although it has been quite common for Christians, including many Christian scholars of the Bible, to stress the importance of the individual's personal relationship to God and view corporate ideas as far removed from the central message of the New Testament, this line of interpretation is quite problematic. Inasmuch as a central component of New Testament theology not only continues to employ, but in fact heightens, the emphasis upon the concept of grace, it also heightens the importance of certain corporate theological ideas. What could be a more corporate idea than the notion that the blood of the innocent Jesus atones for the sinfulness of all the other members in the community of believers and does so in an intergenerational manner that includes those not yet born (Romans: 3:21–26 and Hebrews 9). Such a radical affirmation of God's grace is inherently non-individualistic because each person is not judged strictly according to his own deeds. Furthermore, this grace is made manifest through the corporate body of the church and not by autonomous individuals (1 Corinthians 12).

Now, if it is true that corporate ideas have such great theological importance in the Bible and that Ezekiel 18 is not theologically superior to them, then why, one might ask, does the theology of exact justice found in Ezekiel 18 continue to enjoy so much popularity? The most plausible explanation is that although moderns are not opposed to the idea of benefiting from the merits of one's ancestors, or from one's own earlier righteous deeds, the thought of suffering for other peoples' misdeeds, or others suffering for our sins is so distasteful that we reject any theology that implies such a linkage. And we do this, even though the corporate theology that stresses human relatedness is truer to the biblical tradition, truer to the reality we experience, and more oriented toward mercy than the standard of strict justice one discovers in Ezekiel 18.

Although I have argued that some biblical scholars have misread the larger corporate ideas in the Hebrew Bible, it would be incorrect to assume that I believe them unjustifiably disturbed by aspects of this corporate theology. One should indeed be morally troubled by a God who demands

that Achan's family be killed for his sin. Indeed, it seems likely that Ezekiel 18 and other passages similar to it were written to correct these aspects of corporate retribution. But one should not lose sight of the value of the theological idea that animates Joshua 7, an idea that says that at the most basic level we are implicated in, and responsible for, the actions of our fellow human beings. One should take note of Dostoevsky's comment: "If the evil deeds of men sadden you too greatly and arouse in you an anger you cannot overcome and fill you with a desire to wreak vengeance on the evil-doers—fear this feeling most of all, . . . because you too are responsible for the evil deeds of all men. Bear that ordeal and your desire for revenge will be quenched when you understand that you were guilty yourself for having failed to show the light to the wicked, as a man without sin could."³⁷ It is my contention that both the corporate and the more individualized passages in the Hebrew Bible are important and essential to a proper understanding of the relationship between the individual and the community.

The biblical writers were aware that our individuality can only be understood in relation to the various collectivities in which we participate and that being human means that the individual is linked to other people through the consequences that flow from each person's actions. But this does not mean that the Bible ignores the importance of the individual. Rather, the Bible has a very nuanced theology of the relationship between the individual and the community.³⁸ Comparing the more individualistic passages within the Bible with those that espouse a more corporate view, one sees the way in which these elements qualify and complement each other. "In interplay with this solidarity thinking we find a living individuality which, as distinct from individualism, is to be understood as the capacity for personal responsibility and for shaping one's life. This does not stand in mutually exclusive opposition to, but in fruitful tension with, the duty of solidarity, and as such affects the individual and motivates his conduct."³⁹

Inasmuch as the biblical view of the relationship between the individual and the community takes account of both poles, but places more emphasis upon the community and the individual's responsibility to that community, it can provide a much needed corrective to current ethical thinking that seems to treat society as nothing more than a collection of unrelated individuals who just happen to live together. A more nuanced theology that takes greater account of one's personal responsibilities toward the larger community is necessary to address many contemporary concerns, which are global in scope—economic disparity, environmental protection, drug abuse, energy planning, disease control and eradication, arms control etc. More importantly, acknowledging and accepting one's ties to the larger communities in which one lives will give greater significance to each individual's actions and guide individuals in the choices they make. This is because one's identity and life-purpose are derived from and nourished by larger narrative frameworks created and preserved by communities, not by

autonomous individuals.⁴⁰ As MacIntyre notes, “the story of my life is always embedded in the story of those communities from which I derive my identity. I am born with a past; and to try to cut myself off from the past, in the individualist mode, is to deform my present relationship. The possession of an historical identity and the possession of a social identity coincide.”⁴¹ Once individuals understand and affirm that our identity and life-purpose are derived from the larger community, they will have an easier time clarifying and working toward the greater good of the larger human community. Indeed, it is time that we accepted the fact that we are our brothers’ keepers.

NOTES

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1. Claus Westermann, *The Living Psalms*, translated by J. R. Porter (Grand Rapids: Eerdmans, 1989), p. 129. Similarly, Anthony Phillips sees the Temple entrance liturgies (e.g., Psalms 15 and 24), which appear to speak of some type of individual confession, as post-exilic and thus as proof of the post-exilic rejection of communal liability (Anthony Phillips, *Ancient Israel's Criminal Law: A New Approach to the Decalogue* [Oxford: Basil Blackwell, 1970], pp. 186–187). Also note the rationale provided by Soggin for his dating of certain parts of the book of Job: “A post-exilic dating seems advisable for the body of the book. The problems are seen in an individualistic key, and we know that this approach is sometimes to be found during the exile” (J. Alberto Soggin, *Introduction to the Old Testament*, 3rd ed., translated by John Bowden [Louisville: Westminster/John Knox, 1989], p. 453). For a critique of this approach see my review of *The Living Psalms*, *Journal of Religion* 71 (April 1991): 256–257 as well as *Corporate Responsibility in the Hebrew Bible*, *Journal for the Study of the Old Testament Sup.* 196 (Sheffield: Sheffield Academic Press, 1995), pp. 16–54.

2. J. R. Porter, “The Legal Aspects of the Concept of ‘Corporate Personality’ in the Old Testament,” *VT* 15 (1965): 379–80.

3. Porter, “Legal Aspects,” 362–67. This sharp dichotomy between legal and religious ideas is all too convenient and not sustained by the data. See further discussion in Kaminsky, *Corporate Responsibility*, pp. 67–95.

4. There are some corporate cases that are intra-generational with sin spreading from one guilty person in a generation to other apparently innocent bystanders in the same generation. Often both elements occur together. For further discussion of the variety and prevalence of such corporate cases in the Hebrew Bible, see my *Corporate Responsibility*, pp. 16–113.

5. Charles Taylor, *The Sources of the Self: The Making of Modern Identity* (Cambridge: Harvard, 1989).

6. See the now classic, Robert Bellah et al., *Habits of the Heart: Individualism and Commitment in American Life* (Berkeley: University of California Press, 1985) or his more recent *The Good Society* (New York: Knopf, 1991).

7. Alasdair MacIntyre, *After Virtue*, 2d ed. (Notre Dame: University of Notre Dame, 1984). MacIntyre’s argument has spilled into various theological discussions, especially those surrounding moral theory and narrative theology. See Stanley Hauerwas, *A Community of Character* (Notre Dame: University of Notre Dame, 1981), *Naming the Silences* (Grand Rapids: Eerdmans, 1990), and the excellent collection of articles *Why Narrative: Readings in Narrative Theology*, edited by Stanley Hauerwas and L. Gregory Jones (Grand Rapids: Eerdmans, 1989). Also see the collection of responses to *Habits of the Heart*, found in *Community in America: The Challenge of Habits of the Heart*, edited by C. H. Reynolds and R. V. Norman (Berkeley: University of California, 1988).

8. MacIntyre focuses his critique by comparing two recent attempts to use Enlightenment ideas in constructing a modern moral theory: Robert Nozick, *Anarchy, State and Utopia* (Oxford: Blackwell, 1974) and John Rawls, *A Theory of Justice* (Oxford: Clarendon, 1972). He demonstrates how these two positions are utterly incompatible and that in the current debate one cannot

rationally decide between rights based upon entitlement (Nozick) versus rights based upon need (Rawls). MacIntyre, *After Virtue*, pp. 244–255. On the way that the idea of absolute rights has impeded political discourse in America see, Mary Ann Glendon, *Rights Talk* (New York: Free Press, 1991).

9. MacIntyre, *After Virtue*, p. 253.

10. MacIntyre's project has received criticism for not taking into account that allowing a single community to define various moral terms may not solve the problem of whether a certain community's norms are superior or inferior to another community's norms, especially since people today are members in more than one community. He has responded to some of these criticisms in the postscript to the second edition of *After Virtue* and has extended his line of argument in *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame, 1988). For a summary of the difficulties in MacIntyre's work see, Franklin I. Gamwell, *The Divine Good* (San Francisco: Harper Collins, 1990), pp. 61–84 and Douglas Schuurman, "Principal or Virtues?," *The Reformed Journal* 33 (September 1983): 18–22.

11. H. Gunkel, "What is Left of the Old Testament," in *What Remains of the Old Testament*, translated by A. K. Dallas (New York: Macmillan, 1928), p. 42. This article was originally published in *Die Deutsche Rundschau* xli, 1914, and the tendency to characterize the Hebrew Bible as inferior to the New Testament still occurs. Note the comment made in a recent book that applies René Girard's ideas to the Hebrew Bible and the New Testament. Uncomfortable with the conflicting views of God and violence in the Hebrew Bible, we are told not to worry because "a real center can be found only when all the writings are interpreted anew in the light of the fate of Jesus" (Raymund Schwager, *Must There Be Scapegoats?*, translated by Maria Assad [San Francisco: Harper & Row, 1987], p. 135). For a more general critique of certain anti-Judaic tendencies in Girard's work, see Michael Weingrad, "Jews (in Theory): Representations of Judaism, Anti-Semitism, and the Holocaust in Postmodern French Thought," *Judaism* 45 (Winter 1996): 79–98. Also see my review of Girard's *The Scapegoat*, in *Incognita* 1 (Spring 1990): 106–108.

12. For a recent corrective to this tendency, see Wayne Meeks, *The Moral World of the First Christians* (Philadelphia: Westminster, 1986), and E. Earle Ellis, "Biblical Interpretation in the New Testament Church," in *Mikra*, edited by Martin Jan Mulder (Assen: Van Gorcum, 1988), pp. 717–720. I object to Ellis's attempt to understand the origin of certain Christological ideas as flowing primarily from the notion of corporate personality.

13. In S. T. Kimbrough, Jr., *Israelite Religion in Sociological Perspective*, Studies in Oriental Religions 4 (Weisbaden: Otto Harrassowitz, 1978), p. 62.

14. Helmer Ringgren, *Israelite Religion*, translated by David E. Green (Philadelphia: Fortress, 1966), p. 286. Also see G. A. Cooke, *The Book of Ezekiel*, The International Critical Commentary, edited by S. R. Driver (Edinburgh: T. & T. Clark, 1936), pp. 194–196.

15. Gerhard von Rad, *Old Testament Theology*, Vol. 2, translated by D. M. G. Stalker (New York: Harper & Row, 1965), p. 266. I have devocalized the Tetragrammaton in this quote. Also note the following statement made by von Rad in the first volume of the just cited work: "The Deuteronomistic theology of history had still reckoned with the effect of an evil that criss-crossed the generations, and made it a basic factor in its whole way of looking at history. Ezekiel is very different: in his passage dealing with righteousness, he starts by opposing to the contention that evil works on throughout the generations the counter thesis that each individual life belongs to JHWH (Ezekiel 18:4)" (Gerhard von Rad, *Old Testament Theology*, Vol. 1, translated by D. M. G. Stalker [New York: Harper & Row, 1962], pp. 392–393).

16. These words are found in von Rad's treatment of Ezekiel 18 in von Rad, *Old Testament Theology*, Vol. 1, p. 394.

17. J. Lindblom, *Prophecy in Ancient Israel* (Philadelphia: Fortress, 1962), p. 387.

18. Paul Joyce, *Divine Initiative and Human Response in Ezekiel*, Journal for the Study of the Old Testament Sup. 51 (Sheffield: Journal for the Study of the Old Testament Press, 1989), pp. 79–87, and Gordon Matties, *Ezekiel 18 and the Rhetoric of Moral Discourse*, Society of Biblical Literature Dissertation Series No. 126 (Atlanta: Scholars Press, 1990), pp. 113–158.

19. Baruch Halpern, "Jerusalem and the Lineages in the Seventh Century BCE: Kinship and the Rise of Individual Moral Liability," in *Law and Ideology in Monarchic Israel*, edited by Baruch

Halpern and Deborah W. Hobson, *Journal for the Study of the Old Testament Sup.* 124 (Sheffield: Sheffield Academic Press, 1991), pp. 14–15.

20. J. Kraosovec, “Is there a Doctrine of ‘Collective Retribution’ in the Hebrew Bible?,” *HUCA* 65 (1994): 59. I disagree with his approach as well as almost all of his conclusions. See my *Corporate Responsibility*, pp. 11–113.

21. Halpern, “Jerusalem and the Lineages in the Seventh Century BCE,” p. 14, argues that P discredits inter-generational retribution because Numbers 26:11 tells us that the sons of Korah did not die with him. Inasmuch as this text is most probably an attempt to explain the fact that the sons of Korah eventually became singers in the Temple, it is questionable to extrapolate P’s theology of divine retribution from this verse alone. Other texts such as Leviticus 20:5 and 26:39 suggest that priestly circles continued to maintain at least some form of inter-generational retribution. The same flawed reasoning is offered by Anthony Phillips in the following quote: “The priestly legislation therefore realized the prophecies of Jeremiah 31:29 f. and Ezekiel 18:1 ff. that an individual would only be liable for his own acts, and not for the acts of others by virtue of his membership of the community” (A. Phillips, *Ancient Israel’s Criminal Law*, p. 185). I follow Milgrom who argues that these priestly writings affirm “the old doctrine of collective responsibility: when the evildoers are punished they bring down the righteous with them” (Jacob Milgrom, *Leviticus 1–16*, *Anchor Bible* [New York: Doubleday, 1991], pp. 49–50).

22. Kaminsky, *Corporate Responsibility*, pp. 30–138.

23. This is not to say that there are not individualist elements in rabbinic theology as well (*Makkot* 24a). It is clear that the Rabbis have both collective and individualist ideas and do not really work out the discrepancies in a systematic manner. For further discussion, see the following works: Louis Jacobs, *Religion and the Individual* (Cambridge: Cambridge University Press, 1992), pp. 1–9 and pp. 113–120; Max Kadushin, *The Theology of Seder Eliahu* (New York: Bloch, 1932), pp. 163–211; A. Marmorstein, *The Doctrine of Merits in Old Rabbinical Literature* (New York: KTAV, 1968 [1920]), pp. 3–188; A. Melinek, “The Doctrine of Reward and Punishment in Biblical and Early Rabbinic Writings,” in *Essays Presented to Chief Rabbi Israel Brodie on the Occasion of his Seventieth Birthday*, edited by H. J. Zimmels, J. Rabinowitz, and I. Feinstein (London: Soncino, 1967), pp. 275–290; Solomon Schechter, *Aspects of Rabbinic Theology* (New York: Schocken, 1961 [1909]), pp. 170–198; E. E. Urbach, *The Sages*, translated by Israel Abrahams (Cambridge: Harvard University Press, 1987), pp. 420–444.

24. John G. Gammie, *Holiness in Israel*, *Overtures to Biblical Theology Series* (Philadelphia: Fortress, 1989), p. 50.

25. The first two criteria are borrowed from David Tracy, *Blessed Rage For Order* (New York: Seabury, 1978), pp. 43–48. Tracy notes that the relationship between common human experience and tradition needs to be articulated through a method of correlation. Furthermore, he notes that tradition must be clarified through historical and hermeneutical inquiry into the classic texts (Tracy, pp. 49–52). The third criterion that I have listed is an attempt to modify Tracy’s third criterion that one must ultimately test the truth-status of the cognitive claims that one asserts (Tracy, pp. 52–56).

26. Kaminsky, *Corporate Responsibility*, pp. 139–178.

27. It should be mentioned that the attributes of God listed in Exodus 34:6–7 emphasize mercy over justice.

28. It is possible to object to my appeal to common human experience by arguing that although it may be common to see an individual caught in the actions of the larger community as well as in the webs of consequences that flow from his own previous actions, it is common human experience to see this as unjust. But I would defend my reading of common human experience by emphasizing what actually occurs rather than looking toward what some feel ought to occur, as well as by arguing, as I do below, that being part of a community as well as being tied to one’s past actions may be more of a blessing, while being judged as an autonomous individual may be more of a curse.

29. Klaus Koch, *The Prophets: The Babylonian and Persian Periods*, Vol. 2 (Philadelphia: Fortress, 1984), p. 108. I recognize that Koch is confusing two different but related issues: collective effects and collective liability. Everyone acknowledges that one cannot escape certain consequences that

flow from various actions. This, however, is distinct from a type of liability in which a specific punishment is directed at individuals because they belong to a certain group. Suffering from a polluted environment should be looked at as an accidental effect whereas war reparations involve a type of liability and guilt. In this example, one might object to a God who actively punished later generations with the pollution created by their earlier ancestors. In Koch's defense, one must note that the biblical text does not make a clear distinction between effects and liability and tends to see later negative effects as a form of divine punishment. An additional problem is that the Bible does not always clearly distinguish between cases in which individuals suffer or are rewarded because they are inseparable from the larger groups to which they belong, and cases in which individuals may suffer punishment because their owner or ruler is being punished. In the latter cases people may be suffering, but it is questionable to call such suffering a punishment because the punishment is wholly directed at their owner or ruler. David Daube who draws this useful distinction admits that it is not always clear whether a particular case involves a question of communal responsibility or ruler-punishment and that certain biblical cases involve both types of ideas (David Daube, *Studies in Biblical Law* [Cambridge: The University Press, 1947], pp. 154–189). All of these factors create great difficulties for those trying to translate the Bible's ethical ideas into modern practice. Nevertheless, certain collective ideas, such as social responsibility for the wrongs perpetrated by the larger collective groups to which one belongs, remain important. It is this type of idea that resides behind and continues to animate notions such as war reparations or affirmative action programs. For more on the philosophical background of the modern notions of collective responsibility, see Theodore R. Weber, "Guilt: Yours, Ours, and Theirs," *Worldview* 18 (February 1975): 15–22. For a very different assessment of the notion of corporate guilt, see Steven Knapp, "Collective Memory and the Actual Past," *Representations* 26 (Spring 1989): 123–49.

30. Note the language that von Rad employs in his discussion of this text: "Ezekiel thus disputes the popular thesis of a yawning gulf between act and effect—indeed, in the way in which he speaks of the individual and his life, and not of the generations or of any still wider settings, he shows himself to be even more radical and modern than his querulous contemporaries" (von Rad, *Old Testament Theology*, Vol. 1, p. 393).

31. For further discussion of this passage see the following: J. Blenkinsopp, "Abraham and the Righteous of Sodom," *Journal of Jewish Studies* 33 (Spring 1982): 119–32; Daube, *Studies in Biblical Law*, pp. 154–160; Mordecai Roshwald, "A Dialogue Between Man and God," *Scottish Journal of Theology* 42 (1989): 145–165; von Rad, *Old Testament Theology*, Vol. 2, pp. 394–395.

32. Daube, *Studies in Biblical Law*, p. 157.

33. Herbert G. May, "Individual Responsibility and Retribution," *HUCA* 32 (1961): 117.

34. This insightful suggestion is made by Y. Muffs, "Reflections on Prophetic Prayer in the Bible," *Eretz-Israel* 14 (1978): 48–54 [Heb.] The basic thesis of Muffs' article has been expanded and translated into English in Yochanan Muffs, "Who Will Stand in the Breach?: A Study of Prophetic Intercession," in *Love and Joy* (New York: Jewish Theological Seminary of America, 1992), pp. 9–48.

35. Kaminsky, *Corporate Responsibility*, pp. 30–113.

36. Here I disagree with Mendenhall, who disproportionately highlights the role of the individual in the covenantal community: "The covenant placed him directly in relationship to YHWH, to whom alone he swore allegiance, and from whom he received protection" (G. E. Mendenhall, "The Relation of the Individual to Political Society in Ancient Israel," in *Biblical Studies in Memory of H. C. Alleman*, edited by J. M. Meyers [Locust Valley: J. J. Augustin, 1960], p. 100).

37. F. Dostoevsky, *The Brothers Karamazov* (Toronto: Bantam Books, 1981), p. 389.

38. Kaminsky, *Corporate Responsibility*, pp. 139–178.

39. Walther Eichrodt, *Theology of the Old Testament*, Vol. 2, translated by J. A. Baker (Philadelphia: Westminster, 1967), p. 232.

40. Alasdair MacIntyre, "Epistemological Crises, Dramatic Narrative, and the Philosophy of Science," *Monist* 60 (October 1977): 453–72.

41. MacIntyre, *After Virtue*, p. 221.

Inventing Yiddish: Observations on the Rise of a “Debased” Language

STEVEN J. BLISS

IN A NEW YORK TIMES MAGAZINE ARTICLE LAST YEAR, Jonathan Rosen described the resurgence currently enjoyed by Yiddish in the United States. Evidence of this new interest in the language includes not only an increase in Yiddish courses at U.S. colleges and the growing popularity of Yiddish literature, but also revivals of Yiddish theater and klezmer music. But the recent upswing in the popularity of Yiddish, Rosen reported, has provoked vigorous disagreements over the historical meaning of Yiddish and the implications of the language for contemporary Jewish identity.¹ As two recently reprinted books on Yiddish literary history make clear, such debates over the cultural status of Yiddish have an extremely rich and complex heritage. Syracuse University Press has reissued Dan Miron’s *A Traveler Disguised: The Rise of Modern Yiddish Fiction in the Nineteenth Century* (1973) and Nahma Sandrow’s *Vagabond Stars: A World History of Yiddish Theater* (1977) as part of its Judaic Traditions in Literature, Music, and Art series. Both these books are of great value to anyone interested in the modern history of the Yiddish language, as they demonstrate the tremendous efforts required to legitimate the aesthetic and cultural possibilities of Yiddish and, relatedly, the extent to which literature in Yiddish mediated between the competing demands of the intelligentsia and the masses, both in Europe and the United States.

Miron’s *A Traveler Disguised* offers a nuanced line of argument concerning the development of Yiddish literature in nineteenth-century Europe. He focuses on the work of Sholem Y. Abramovitsh (1836–1917) to demonstrate the unique cultural position of Yiddish in the mid- to late-1800s. Although reference works and anthologies still typically refer to Abramovitsh by his ostensible *nom de plume*, Mendele Moykher-Sforim (alias “Mendele the Bookpeddler”), Miron insists that this practice obscures the crucial fact that Mendele is a fictional creation, a persona that must be distinguished from—rather than merely collapsed into—the identity of the author Abramovitsh. Miron argues that this is more than just an issue of nomenclature and that we need to keep Mendele separate from Abramovitsh in order both to view accurately the status of Yiddish in the nineteenth century and, more importantly, to understand the ways in which Yiddish literature became a viable art form.

STEVEN J. BLISS, a graduate of Northwestern University, holds advanced degrees in Literature and American Studies from the University of Utah and the University of California, Santa Cruz. A writer, he is currently living in San Francisco.

Although we now take the existence of a Yiddish literary tradition for granted, Miron notes that Yiddish was far from the natural language of choice for Jewish writers during the mid- to late 1800s. “Yiddish was not part of [these writers’] notion of literature and . . . they had to overcome certain inhibitions in order to conceive of it as such.”² The status of Yiddish in the mid-nineteenth century derived from the cultural project of the Jewish intellectuals, the *maskilim* who sought to enlighten the Jewish masses throughout Eastern Europe and who viewed Hebrew as the proper medium for such education. Hebrew, the *maskilim* stressed, was appropriate for the higher forms of communication, particularly as contrasted with the vulgarity of Yiddish. Since the explicit goal of the Jewish enlightenment, or *Haskala*, was the intellectual and moral uplift of the Jewish masses, no instrument but Hebrew could be used. But in his book’s pivotal chapter, “A Language as Caliban,” Miron tells how a range of fiction writers came to employ Yiddish, a language that had been widely dismissed for its hybrid qualities—“disfigured German blended with disfigured Hebrew.” The fulcrum on which this crucial shift took place was the eastward movement of the *Haskala*. Although the *maskilim* still held Hebrew to be a far superior language, writers wishing to use literature as a means of moral uplift faced a serious problem: As the *Haskala* movement entered Poland and Russia, less of the population understood Hebrew. In order both to maintain a viable audience and to combat its chief rival—the mystical thought of hasidism—the *Haskala* reluctantly turned to Yiddish.

In recounting the decision by the *maskilim* to reach the Eastern European masses by writing in Yiddish, Miron makes two important claims about the advent of a Yiddish literary tradition in the nineteenth century. First, Miron challenges the widely held contention that M. Lefin-Satanover, famous in part for translating the Bible into Yiddish, had as his purpose the establishment of a permanent tradition of Yiddish literature in the nineteenth century. “To consider [Lefin-Satanover] as the conscious proponent of the cultivation and literalization of Yiddish literature,” Miron writes, “is to attribute to him intentions he probably could not have had, intentions quite alien to the whole context of the *Haskala* movement at the time.”³ Lefin-Satanover’s brilliant biblical translations, Miron insists, were not meant as demonstrations of the aesthetic possibilities of Yiddish, but rather as a means of making the Bible available as a tool for battling hasidism. The case of Lefin-Satanover is, for the purposes of Miron’s project, particularly important in that it illustrates a second key point about Yiddish: Even *maskilim* who used Yiddish for literary production were far from embracing the language; rather, they planned to use the language only *temporarily* and only for specific political purposes. Furthermore, these political goals required that writers use Yiddish primarily as a vehicle of farce and mimicry—in short, to ridicule their opponents “with their own instruments,” as one writer put it. Standing on such tenuous ground, Yiddish could only serve the *maskilim* by revealing itself as a “debased” language. Even as Yiddish gained greater acceptance as a literary language, Miron suggests, the

“aesthetics of ugliness” could never be wholly divorced from the ideological demands placed on the Yiddish language, and thus the notion of Yiddish as an inherently parodic language persisted throughout the nineteenth century.

Writers like Abramovitsh, therefore, were necessarily distanced from their literary voice in Yiddish works. These writers belonged to the intelligentsia—for whom Hebrew remained the preferred language for authorship—while they wrote to reach the Yiddish-speaking masses. Thus, although readers and critics consistently make the interpretative leap that conflates Abramovitsh with Mendele, the linguistic status of Yiddish in fact made the gap between author and persona quite distinct. While Miron describes the ideological and cultural reasons for this gap, he also discusses how the very sound of Yiddish affected the tone of its literature and, moreover, the author/persona relationship: “A language of public communication and not of meditation, [Yiddish] functioned only in actual speech, that is dramatically. A Yiddish work, whether it was meant to be read aloud or not (and more often than not it was), had a distinct vocal quality; it was written for recitation—if only in the imagination—with the proper intonation and gesticulation. When the writer or his persona spoke it, they addressed an audience, explicitly or implicitly; when a person talked to himself in it, he treated his consciousness as a stage.”⁴

This literary self-alienation was central to the relationship between Abramovitsh and Mendele, Miron explains, and any understanding of the birth of modern Yiddish literature must come to terms with precisely how Abramovitsh viewed his own literary persona.

Perhaps the most striking quality of Miron’s account is its ability to wed broad cultural history with close textual analysis, as when he turns his attention to the prologue of Abramovitsh’s *Dos vintshfingerl* (“The Magic Ring”), which Miron regards as “one of the most compact and significant pieces of fiction in nineteenth-century Yiddish literature”⁵ Examining the narrative point of view of this introduction, Miron points to the deftness with which Abramovitsh utilizes the interplay between statement and counterstatement. The prologue is dominated by two primary voices: Mendele the Bookpeddler and Hershele, a Russian Jew who returns to the *shtetl* after a series of illuminating and prosperous adventures. As Miron explains, this structure of the “native’s return” was a staple of nineteenth-century Jewish literature, especially in the maskilic sense in which the returning (and enlightened) native signals the triumph of the principles of the *Haskala*.

Miron’s reading of the prologue underscores a central premise of his interpretation of Abramovitsh, which is that neither Mendele nor—in this case—Hershele should be taken to “speak for” the viewpoint of Abramovitsh. Rather, Abramovitsh utilizes Hershele and Mendele to capture the shifting forces within Jewish life by making room for divergent viewpoints, creating what Miron calls the author’s “polyphonic art.”⁶ Utilizing changing perspectives and diverse voices, Abramovitsh’s fiction provides “a comprehensive comment on the Jewish cultural situation in modern times in general and on the paradoxical

nature of modern Yiddish literature in particular.”⁷ By portraying the estrangement that accompanies Hershele’s less-than-triumphant return to the *shtetl*—a “prodigal son come home too late,” he is never recognized by his townspeople⁸—Abramovitsh both comments on the distance between the *maskilim* and the masses, and calls attention to his own predicament as a writer of fiction.

Having illustrated Abramovitsh’s great interest in the limitations and possibilities of using fiction to examine a cultural and historical situation, Miron spends most of the balance of his book taking us through what he calls the “Mendele maze”—the task of characterizing the complex relationship between Abramovitsh and Mendele. Mendele, Miron emphasizes, is “an idea, an intellectual potentiality, a spiritual quest, and therefore—a riddle,”⁹ and in dissociating Mendele from Abramovitsh, Miron warns against simply identifying Mendele as a *folkstip*, or “folk-personage,” who represents some archetype of Jewishness. While this “*folkstip* fallacy” leads critics to categorize Mendele with Sholem Aleichem’s Tevye (most familiar to modern readers through the *Fiddler on the Roof* play and film), Miron counters this fallacy by emphasizing the many differences between these two characters: Where Tevye remains anchored in a specific locale, Mendele’s monologues encompass a range of different settings. Where Tevye’s monologues describe a narrative past, we accept Mendele’s speech as instantaneous and present. Where Tevye’s narration to Sholem Aleichem is an act of faith and trust, Mendele speaks in a way that is “seldom straightforward and openhearted.”¹⁰ This last point is crucial for Miron, for it supports his larger claim that Mendele does not monologize *to* us so much as he performs *for* us, and that a deep understanding of Mendele’s role in Abramovitsh’s fiction demands that we never lose sight of the performative nature of Mendele’s speech.

Freeing Mendele from the role of Jewish everyman, Miron shows how Mendele’s important structural relationship to the narratives changed over the course of Abramovitsh’s career. Though Miron stresses that Mendele never transcends his role as literary mediator—never becomes, in other words, the original creator of the narrative—his account of Abramovitsh’s most powerful literary device demonstrates that Mendele increasingly enlarges his role as the unifying voice in the stories he tells. While the early Mendele merely “finds” stories and presents them to—or translates them for—the reader, the later Mendele stops just short of full authorship before his “retreat” to the safer haven of “merely publishing” the works.

Miron concludes the “Mendele maze” by examining Abramovitsh within the European literary tradition of the late eighteenth and early nineteenth century rather than that of the late nineteenth century. Drawing on the tradition of Sterne, Defoe, and Richardson, Miron emphasizes that early ventures into the modern novel tried to legitimate the genre by presenting the works as accounts of true stories. The pressure on Abramovitsh to make similar truth claims for his work was palpable, since the *maskilim* were decidedly opposed to fictional prose. But, as Miron explains, this fact

can not completely explain why Abramovitsh created a fictional frame—or narrator—of such richness as Mendele. Miron’s answer to this question—while more complex than can be elaborated here—concerns Abramovitsh’s need for a narrator who could tell certain stories while remaining distant from them. The freedom of the road precluded the itinerant Mendele from commitment to any single town or viewpoint, and his position as a traveler afforded him a vantage point that could account for the multivocality of nineteenth-century European Jewish culture.

Nahma Sandrow’s *Vagabond Stars*—like Abramovitsh’s Mendele stories—focuses on itinerant producers of culture to explore another facet of the aesthetic and cultural history of Yiddish. Beginning her study with the earliest identifiable Yiddish plays—the sixteenth-century *Purimshpils*, or Purim plays—Sandrow surveys the field of Yiddish theatrical performance up through the twentieth century, creating a work truly encyclopedic in scope. As Sandrow’s title suggests, many of the players in Yiddish theater were constantly in a state of migration, due not only to the nature of the traveling shows, but also to the persecution that befell Eastern European Jews. Thus, Sandrow was faced with the challenge of writing a history that cannot be reduced to a series of individual national histories. Sandrow responds by organizing her chapters thematically as well as chronologically. Some chapters focus on individual figures (producers Avrom Goldfadn and Jacob Gordin), some on historical/cultural contexts (the Enlightenment, the Holocaust), and others on the different forms that Yiddish theater took (such as *shund* and the art theaters).

While Jewish culture existed for centuries in the diaspora, Sandrow shows that it was more than just the problems of maintaining a locally grounded culture that threatened the viability of Yiddish theater. The establishment of Yiddish theater beyond the Purim play was precluded by several traditions of Jewish law, such as prohibitions against the production of images and against women singing in public. Also inimical to the creation of a Yiddish theater tradition was the cultural position of Yiddish. Like Miron’s *A Traveler Disguised*, this book points out that up until the mid-nineteenth century Yiddish was considered completely inappropriate as a literary language. “The result,” Sandrow writes, “was that until the nineteenth century there could be no Yiddish playwrights and no serious Yiddish drama.”¹¹

Like Miron, Sandrow emphasizes the role of the *maskilim* in fostering new literary forms in Yiddish. And since the *Haskala* deemed the promotion of Yiddish a necessary—if somewhat unpalatable—step toward educating the masses, nineteenth-century Yiddish theater, such as the *Purimshpil*, needed some sort of utilitarian justification. Theater for theater’s sake, so to speak, was unacceptable, and so the early nineteenth-century Yiddish playwrights emphasized the educational value of Yiddish drama. By legitimating the cultural role of the theater, the *haskole* helped broaden the influence of the vulgar “*dzhargen*.” At the same time, Sandrow shows, the *haskole*’s nemesis—the *hasidim*—did their part to promote theatrical performance in Yiddish. But

where the *maskilim* used the theater to act out instructive morality plays, the *hasidim* emphasized the artistic accomplishments of the masses, turning to popular arts such as spontaneous song and simple lyrics. Whereas the *maskilim* influenced the Yiddish theater directly through the production of plays, the *hasidim* did so indirectly by more generally transforming the Yiddish language.

While both the *maskilim* and *hasidim* experimented with performing arts, *Di Broder zinger*—from the Polish town of Brod—emerged out of the Yiddish folk arts, becoming the first professional actors in modern Yiddish culture. Performing in cafés outside the influence of “rabbinical disapproval,” these forerunners of professional Yiddish theater represented one aspect of the secularization of Jewish culture, and—not surprisingly—were bound up in the migration of Yiddish culture. “The industrial revolution,” Sandrow writes, “was building up an Eastern European middle class, and railroads brought audiences to cities. Merchants, including Jews, traveled, saw shows, and demanded more.”¹²

In the opening paragraphs of *World of Our Fathers*, Irving Howe notes that the brutal reign of Alexander III posed the following dilemma: “Should the east European Jews continue to regard themselves as permanent residents of the Russian empire or should they seriously consider the possibility of a new exodus?”¹³ Sandrow’s history of Yiddish theater illuminates this tension—between a community of settlement and a culture of diaspora—and describes how a culture constantly on the verge of being dissolved by oppression sought to envision itself as cohesive. Sandrow’s history demonstrates how the stakes of Yiddish theater were intensified by the Jewish community’s need for a common culture that could buttress a sense of community against persistent attack. In late nineteenth-century Europe, this feeling of patriotism for a culture without a homeland produced a “Yiddishism” that countered the very powerful nationalistic feelings that were used to justify the persecution of the Jews. In addition to providing the Yiddish-speaking audiences with drama written in a “folk language,” the plays written for Yiddish audiences affirmed the historical legacy of the culture.

For European Jews who immigrated to the United States, Yiddish theater was particularly crucial as a means of validating the individual’s connection to a larger culture. Sandrow’s vivid account of Yiddish theater on New York’s Lower East Side shows that the communal aspects of Yiddish theater operated in several different ways. In addition to providing these new Americans with folk heroes and a place to meet and share a secular experience, the Yiddish theater of the late nineteenth-century Lower East Side sentimentalized the old country, thus binding the immigrants through their shared nostalgia. While the Yiddish plays romanticized the *shtetl*, these productions helped the immigrant community assimilate, combating the threat of isolation by portraying assimilation as a rite of passage, a set of shared challenges. Audiences on the Lower East Side “were going to night school at the theater.”¹⁴

This theme of entertainment-cum-instruction pervades Sandrow's account. This is not to say that Yiddish theater-goers attended the plays strictly, or even primarily, for educational reasons. But the tradition of uplift generated by the nineteenth-century *haskilim* was never far from the intentions of the Yiddish theater producers. Avrom Goldfadn—the “father of Yiddish theater” who founded his first Yiddish theater in Jassy, Rumania in the 1870s and later came to the United States—saw himself in just such a role, especially early in his career. Goldfadn believed that however crude the slapstick and songs that comprised his productions, he was nonetheless introducing his audiences to new ideas and lessons they could apply to daily life. In an effort to ensure that the message got through, Goldfadn delivered curtain addresses at the conclusion of his plays. But as Sandrow notes, Goldfadn's self-image as a descendent of the *haskole* tradition presented a paradox: By promoting theater as one means of lifting Yiddish-speaking Jews out of isolation, Goldfadn was enriching the same popular traditions from which he wanted to steer his audience.

Sandrow's account follows Goldfadn until his death in 1908, concluding with his final moment of success on the Lower East Side, which only came after near ostracism from a New York City Yiddish theater community that found his plays old-fashioned and clumsy. More indicative of the rise of Yiddish theater in the United States is the chapter that Sandrow gives to Jacob Gordin, who helped create what is often referred to as the Golden Age of American Yiddish Theater. Like the nineteenth-century *maskilim*, Gordin and his fellow radical intellectuals deemed Yiddish an inferior language not suitable for great literature. Sandrow details how Gordin's first encounter with Yiddish drama both “horried and inspired” him, but also convinced him that Yiddish theater could be more than just mere *shund*.¹⁵ Under the guidance of Gordin, Yiddish theater moved beyond simple melodrama to plays that strove to be “a serious literary endeavor” and realistic.¹⁶ Most importantly, Sandrow demonstrates, Gordin's plays helped to draw the Lower East Side intelligentsia into the theater as viewers and artists, elevating the quality of Yiddish theater in the United States.

Yiddish theater laid the groundwork for a sometimes thriving Yiddish film industry in Europe, the U.S. and other regions with large Jewish populations. Many Yiddish films were adapted from theatrical productions, and the less technologically advanced releases were little more than filmed stage plays. In his comprehensive history of Yiddish film, J. Hoberman calls Yiddish cinema “the child of the Yiddish stage,” since the cinema adapted not only the scripts and storylines of Yiddish theater, but also its actors, writers, themes and conventions.¹⁷ Today, due to efforts of the National Center for Jewish Film (NCJF) at Brandeis University, dozens of Yiddish films are available on videocassette, and these films provide valuable insights into the ways in which the Yiddish cinema represented some of the same issues raised in both Miron's and Sandrow's histories.

I had a chance to look at three U.S.-made Yiddish films from the NCJF collection: Sidney Goldin and Aubrey Scotto's *Uncle Moses* (1932), Edgar Ulmer's *American Matchmaker* (1940), and Joseph Seiden's *God, Man, and Devil* (1949). While it is impossible to take any set of films as wholly representative of Yiddish cinema in the U.S., all three films demonstrate the tendencies that, as Sandrow and Miron demonstrate, pervaded earlier forms of Yiddish cultural production. For instance, one cannot view these films without noticing their didacticism. In *American Schadchen*, Leo Fuchs plays a New York bachelor who decides to follow the path of his European uncle and become a matchmaker. When the bachelor falls for one of his female clients, he learns to place his own emotional happiness above the demands of professionalism, and the film ends happily with his marriage to the client. *God, Man, and Devil*, an adaptation of one of Jacob Gordin's well-known stage productions, combines—as Hoberman puts it—"the stories of Job and Faust."¹⁸ When Hershele Dubrovner purchases a winning lottery ticket from Satan (only thinly disguised as a lottery ticket salesman), he exploits his own people as a *talit* factory owner and divorces his wife in favor of his much younger niece. This double betrayal is avenged when, after a fatal accident in his factory, guilt drives Dubrovner to hang himself. *Uncle Moses*, which originated as a novel by Sholem Asch, similarly warns against greed and exploitation. Having ascended to wealth on the sweatshop labor of his *landsleit* (people from the same region in the old country), Uncle Moses utilizes his wealth to court manipulatively a much younger woman. When a strike threatens his factory, Moses's father—consistently the voice of reason in the film—repatriates to Poland, and Moses falls ill as hired strike-breakers use violence against his own workers. By the end of the film, Moses has lost everything—his status in the community, his young wife, and his control over the factory.

In viewing these films today, one is struck by the almost documentary quality of these productions. Many Jews in the United States tend to hear Yiddish only in fragments, a handful of words dropped into conversation by parents or grandparents. Since these films use subtitles (rather than dubbing) they allow us to appreciate the vitality of spoken Yiddish, while at the same time providing a sense of the tensions and conflicts that structured the immigrant experience in the early part of this century. Like Yiddish theater productions, many of the Yiddish films concern the competing allures of nostalgia for the *shtetl* and assimilation into U.S. culture. More specifically, many of the major Yiddish films portray a certain anxiety about the impact of modernization and commerce on traditional values and institutions.

This tension is central to *Uncle Moses* (1932), often regarded as one of the finest Yiddish films and certainly the most complex of those reviewed here. Nostalgia for the bonds of the *shtetl* pervades this film and receives its most direct embodiment in the figure of Uncle Moses's old father. Amidst the din of Uncle Moses's clothing factory, Moses's father continues singing a melody from the factory workers' native Polish town of Kuzmin. This character's

nostalgia for the community of the “old country” compels him to renounce the modern world of the immigrants when he shouts, “To hell with my son and America.” As Hoberman points out, Uncle Moses’s father is “the fool who speaks the truth,”¹⁹ and the linkage here between his son and America is vital, suggesting how Uncle Moses represents not so much assimilation as a mastery of U.S. business customs. Very early on, the film connects such mastery of business with the mastery of language, as Uncle Moses uses English most consistently in the sphere of commerce—in the salesroom of the factory, or on the telephone securing a bank loan. When the old father asserts that “Kuzmin lives on in America,” he does not celebrate the persistence of community life in the United States, but rather, in the shrewdest critique the film offers, hints at the extent to which Uncle Moses utilizes *shtetl* nostalgia to exploit his workers. Moses’s opportunism re-surfaces even more explicitly later in the film when a strike threatens his factory. Presented with the grievances of his factory hands, Moses insists that “these people aren’t workers, they’re family.”

At the wedding of Uncle Moses and Masha—one of the longest and most lavish scenes in the film—we get a fleeting sense that the traditional customs may assert themselves. The boisterous mood of the wedding temporarily replaces the cacophonous setting of the factory, and Uncle Moses boasts to the crowd that this wedding resembles one “in the old country.” Yet even here the possibility of a fissure within the immigrant community presents itself in several ways. In the midst of the wedding, we see Uncle Moses’s father pledging to return to Kuzmin. But even prior to this, the visual presentation of the scene accentuates the cultural divisions that structure the film. The scene’s opening shot lasts almost a full minute, and the camera tracks from right to left across three different rooms. The first room contains a tuxedo-clad chamber orchestra, the second (middle) room features the bride and groom as well as a throng of young, urbane guests, while in the third room (on the far left) Moses’s father and the other elderly immigrants from Kuzmin celebrate in their own little world of drink and dance. This shot is composed to emphasize the actual walls that divide these chambers, and such visual clues emphasize the middle ground that Uncle Moses occupies between the world of his father and the culture of refined assimilation. The wedding scene’s closing shot of Charlie, the young Marxist who had unsuccessfully courted Masha, also underscores the theme of cultural division, signaling the discontent that will bring down Uncle Moses’s control of the factory. Here, Charlie alone in his dark apartment occupies the foreground of the shot, while in the background we see through a window the wedding taking place in a well-lit apartment only a few yards away. Much as Uncle Moses distances himself from his father’s generation, Charlie fashions himself as the young intellectual isolated from the older generation’s emphasis on financial success. When Charlie draws his window shade on the spectacle of the excessive celebration, the shade represents the economic and ideological divides that ultimately undermine Uncle Moses.

By the end of the film, Uncle Moses occupies the position his father once held, singing the same Polish melody to the men in the factory. But rather than actually obtaining the patriarchal status of the older man, Moses is entirely beaten down by a failed marriage and by the violent suppression of a strike in his factory. In both these cases, Moses's power is superseded by the workings of a new breed of professional operator whose only connection to the immigrant community is financial. When his workers strike for better conditions, Moses's cousin—to whom Moses had assigned the management of the factory—calls in hired thugs to break the strike. The strike-breakers have no philosophical commitment, and—in a rather revealing aside—tell the strikers that they are available for future work on either side of the issue, provided it pays well. The professional man further supplants the patriarchal figure when the divorce must be settled. Here, the once omnipotent Uncle Moses insists that the attorney handle all matters. The final scene underscores the extent to which modern ways of conducting business overturn Uncle Moses's authority. In the film's closing shot, Moses sings his Polish melody as a lament; the sound of his factory's new electric sewing machines drown out his voice.

The interplay between traditional cultural practices and the modern professional figure recurs—albeit with much more levity—in Edgar Ulmer's *American Matchmaker* (*Americaner Schadchen*, 1940). The title evokes the film's central idea: the importation of traditional roles—in this case, the matchmaker—into a modern setting. From the first scene, the protagonist, Nat Silver, represents the ideal of the assimilated individual. Dressed in black tie, he and several friends lounge around Silver's posh New York apartment engaging in banter about Silver's upcoming wedding. Leo Fuchs, who plays the role of Nat, was referred to as the “Yiddish Fred Astaire,”²⁰ and his demeanor is polished and urbane. When his engagement falls through, however, Nat decides to become a professional *schadchen*, in part because his mother has informed him that his uncle had been a successful matchmaker in Europe. “You're like him in every way,” she says, upon which Silver muses to himself that “family characteristics know no boundaries.” But if Nat presents the continuity of traditional cultural practices, it is with a very pronounced modern spin. The pseudonymous sign on this office door reads “Nat Gold—Advisor in Human Relations,” and the *schadchen*'s traditional mode of operation is completely supplanted by a modern office environment. Nat's receptionist is a psychiatrist (an “expert in love problems”) and the office contains a complex filing system. As one client puts it, “you are like an ordinary *schadchen*, only fancier.” Or, as Nat himself puts it even more pointedly, “this is an institution.”

While the modern practice of the *schadchen* is one “institution” that structures this film, Edgar Ulmer's direction highlights a second important one—the modern city. Most of the film is comprised of static interior shots where characters enter and exit to the left and right as in a stage play, and yet Ulmer consistently frames these scenes with exterior shots that romanticize the urban setting. The film opens with an establishing shot of the skyline at night,

followed by a series of quick cuts to different views of the skyline, a street level shot, and finally a dissolve into the interior of Nat's apartment. Before we enter Nat's elaborate office later in the film, Ulmer presents another short and quickly paced sequence of shots that mirror the fast pace of the urban scene. In this sequence's key shot, the camera pans quickly to both capture and imitate the movement of the cityscape. Ulmer's final urban sequence is a montage that glamorizes New York's nightlife and prefaces Nat's evening out with Judith, Silver's client and eventual spouse.

These urban exteriors do more than just establish where scenes take place, they help establish Nat and Judith as urban types. For Nat, his status as the businessman and efficiency expert is suggested by his modernization of the matchmaking process. Judith, on the other hand, is modern by virtue of her quasi-bohemian lifestyle. Her mother worries that Judith spends time with "artists, actors, dancers, and other peculiar people," and warns Nat that her daughter "is set against others making a match for her." Judith and Nat do wind up together, so in a sense the role of the *schadchen* is affirmed. (Nat does, after all, find his client a spouse.) But Ulmer also plays with the standard *schadchen*/client relationship. "Who's the *schadchen* here?" Nat asks Judith as she turns the tables and interrogates *him* about his personal history. When her arranged spouse skips the wedding, she does not merely ask, but *commands* Nat to marry her. As a comedy that in many places seems rather tongue-in-cheek, *American Schadchen* may not be as fully invested in social commentary as *God, Man, and Devil* or *Uncle Moses*. Still, by showing how traditional roles exist, however altered, in the modern setting, the film presents its viewers with an account of the competing demands of assimilation and cultural continuity.

Of these three films, *God, Man, and Devil* (*Got, Mentsh, un Tayvl*, 1949), based on a stage play from 1900, focuses most directly on the tension between religious and secular life, which in this film runs parallel to the competition between traditional and commercial values. This preoccupation is suggested in several ways: First, the protagonist, Dubrovner, is a Torah scribe prior to winning the lottery; in addition, he uses his windfall to abandon this profession and open a *talit* factory. Thus, the modern commercial world (the factory) renders a double displacement of traditional artisanship; the *talit* factory removes Dubrovner from his artisan status as scribe *and* displaces the *talit* makers from their craft. Indeed, the film is structured throughout by the way that commerce consistently disrupts the fabric of the community, a fact dramatized by the way that Satan—the voice of commerce in the film—disturbs the domestic space. The early scenes of the film establish the domestic realm, which includes both Dubrovner and his wife, as the site of community and tradition. But in a pivotal scene after Dubrovner wins the lottery, Satan removes Dubrovner's wife from the domestic sphere. "We have business to discuss," Satan states, and Dubrovner's wife departs from the scene. Satan similarly presents commerce as antithetical to religious tradition when, in persuading Dubrovner to invest his money in a *talit* factory, he insists, "Don't

be a Jew.” Satan goes on to claim that Dubrovner would produce “holy merchandise,” a key phrase that calls attention to the awkward union of the religious and commercial spheres.

While the events of the plot suggest Dubrovner’s passage from the traditional sphere into the modern, the cinematic language of *God, Man, and Devil* insists on the great tension between communal traditions and personal wealth. In scenes that take place prior to Dubrovner’s windfall, director Joseph Seiden composes tightly framed shots that include several characters. While this has the effect of portraying the lodgings as somewhat cramped, it also signals—almost literally—the idea of a “tight” communal group. By contrast, scenes that take place in the house that Dubrovner purchases with his lottery winnings are shot from a much wider angle. This emphasizes not only the distance between characters—most notably Dubrovner and his second wife Freida—but also between the characters and their surroundings. Dubrovner and Freida occupy the large house without ever seeming to belong there. Seiden further evokes this sense of emotional isolation in these later scenes by staging dialogue with shots of individual characters, a clear contrast to the group shots used in scenes that take place outside of the Dubrovners’ new house.

The accident that befalls one of Dubrovner’s workers further dramatizes the conflict between Dubrovner and his former community, between commerce and tradition. Motel, a young friend of Dubrovner’s who previously handcrafted *taleysim*, gets his hand caught in the machinery of the *talit* factory, an event that leads to Dubrovner’s suicide. It might seem that the film simply uses the factory as a conventional allegory of the futility of craftsmanship in the face of modern industrial life. But if *God, Man, and Devil* insists on the dehumanization of work, it also comments on how the allure of commerce threatens to dehumanize Dubrovner, the hand *behind* the factory. After Dubrovner has turned the *talit* makers into factory workers, one character comments that Dubrovner is “money-made” and “positively inhuman.” The temptation that causes Dubrovner’s downfall is consistently portrayed as the allure of modernization and commerce over against tradition and family. Viewed along with Miron’s *The Traveler Disguised* and Sandrow’s *Vagabond Stars*, these films now happily available from the National Center for Jewish Film provide a valuable glimpse into the ways that artistic production reflected the challenges that faced the Yiddish-speaking populations from the mid-nineteenth century to the present.

NOTES

1. Jonathan Rosen, “A Dead Language, Yiddish Lives,” *New York Times Magazine* (July 7, 1996: 26–27).
2. Dan Miron, *A Traveler Disguised: The Rise of Modern Yiddish Fiction in the Nineteenth Century* (Syracuse: Syracuse University Press, 1996), p. 12.
3. Miron, p. 41.

4. Miron, p. 83.
5. Miron, p. 96.
6. Miron, p. 106.
7. Miron, p. 107.
8. Miron, p. 130.
9. Miron, p. 131.
10. Miron, p. 176.
11. Nahma Sandrow, *Vagabond Stars: A World History of Yiddish Theater* (Syracuse: Syracuse University Press, 1996), p. 19
12. Sandrow, *Vagabond Stars*, p. 37.
13. Irving Howe, *World of Our Fathers: The Journey of the East European Jews to America and the Life They Found and Made* (New York: Harcourt Brace Jovanovich, 1976), p. 5.
14. Sandrow, p. 78.
15. Sandrow, p. 138.
16. Sandrow, p. 141.
17. J. Hoberman, *Bridge of Light: Yiddish Film Between Two Worlds* (New York: Museum of Modern Art/Schocken Books, 1991), p. 16.
18. Hoberman, p. 336.
19. Hoberman, p. 163.
20. Hoberman, p. 317.

Isaac Bashevis Singer in New York

JANET HADDA

AFTER THE CATAclysmic events of 1944 and 1945, Bashevis's life in the late 1940s calmed down considerably, at least outwardly. Although he had expressed his anguish quietly, his enormous distress over the loss of his brother, his culture, and his literary future had been obvious at the conclusion of World War II. Now, just a few years later, he seemed more settled, able to enjoy the trappings of normalcy. He had returned to full literary activity and had finally achieved the status of staff writer at the *Forverts*. His salary remained paltry, but Alma supplemented the family income through her work as a saleslady, starting with a seventeen-dollar-a-week job at Arnold Constable, a New York department store.¹ While Bashevis stayed at home and wrote, Alma found herself "joggling back and forth on the subway."² The couple ate dinners out in simple restaurants; despite their modest circumstances, they traveled extensively, initiating long trips to Europe as soon as the War ended.

But external appearances were deceiving. A major change was underway in Bashevis's life: he had entered the world of English translation. This development was to have huge ramifications for Bashevis, leading finally to the award of the Nobel prize almost thirty years later. Along the way, Bashevis, that sharp-witted, conflicted, sometimes harsh literary genius, would gradually yield to Isaac Bashevis Singer—and even Isaac Singer—the quaint, pigeon-feeding vegetarian, the serene and gentle embodiment of timeless Eastern-European-Jewish values.

Bashevis's first work to be translated into English was *The Family Moskat*. It appeared in 1950, published by Alfred Knopf. Knopf had been Israel Joshua Singer's publisher in English, and he had agreed to take on Bashevis's book because of the family relationship. Already at the time of this first translation, Bashevis was worrying about what to call himself. A letter from the publishing house refers to the confusion: "Did we agree on the form in which your name as author is to appear? It could be 'Isaac Singer' or 'Bashevis (Isaac Singer,)' but I do not think it can be 'Isaac Singer Bashevis,' which is merely confusing."³

The privilege of appearing in translation with his brother's publishers turned out to be a mixed blessing for Bashevis. First, Knopf insisted on certain changes in the novel for purposes of translation, an artistic insult that Bashevis

JANET HADDA is Professor of Yiddish at the University of California, Los Angeles, and Training and Supervising Analyst at the Institute of Contemporary Psychoanalysis and the Southern California Psychoanalytic Institute. This essay is excerpted from *Isaac Bashevis Singer: A Life*, by Janet Hadda (copyright 1997 by Janet Hadda), by arrangement with the publisher, Oxford University Press, New York.

neither forgot nor forgave.⁴ Then, once the book came out, Knopf informed Bashevis that sales were poor. But Alma, who was working at Macy's in Manhattan at the time, believed that Knopf's report was inaccurate, if not a downright lie. From her vantage point, perhaps colored by the immigrant fear that her husband was being cheated, she took issue with the publisher's gloomy account, observing that the books were actually "selling like hotcakes."⁵

In a 1965 interview in *Harper's*, Bashevis claimed that the book had sold 35,000 copies—in part because it had been a book club choice—but that he had realized only about \$2,000 from the deal. "I haven't grown rich from my works translated into English," he commented wryly at the time. There were reasons for the meager reward. Knopf had deducted a translator's fee from Bashevis's royalties. Moreover, the translator had died before finishing the manuscript, costing Bashevis "additional time and money to complete the job."⁶

Bashevis's recollections on the matter complain of anti-European bias and hint at Jewish anti-Semitism: "... the mail kept bringing envelopes with reviews from all over America. I found my picture in many newspapers and magazines. But with all that, I had the feeling that my book was not receiving the proper recognition." As it happened, Knopf was also the publisher of John Hersey's *The Wall*, which appeared just weeks after *The Family Moskat*. Both authors had written about Warsaw, and Knopf evidently favored Hersey's work. The slight was not lost on Bashevis: "True, I had written from experience, while Hersey had compiled a work based on reports. But the Jewish readers in America preferred to hear the story from an American rather than from a Jew. Knopf gave all its backing to Hersey."⁷ Where Israel Joshua had once outshone Bashevis in Knopf's eyes, now it was supposedly John Hersey. Not surprisingly, Bashevis left Knopf as soon as he could, affiliating himself with Noonday Press and its editor, Cecil Hemley, who knew a good deal about Yiddish. When Noonday merged with Farrar Straus in 1960, Bashevis found the publisher with whom he would remain for the rest of his life.⁸

But the real break for Bashevis, his introduction to American readers who could appreciate him, was the 1952 appearance, in the prestigious *Partisan Review*, of "Gimpel the Fool," masterfully translated by Saul Bellow. Although not European-born, Bellow was ideally suited to render Bashevis into English for a cosmopolitan audience. He spoke fluent, richly idiomatic Yiddish and, like Bashevis, had grown up in a strictly orthodox home, complete with one grandfather who was a *khosid* and one grandfather who was a *misnaged* (an opponent of Hasidism); he understood the milieu that Bashevis had created. Nonetheless, he was at first reluctant to undertake the assignment. Approached by Eliezer Greenberg who, together with Irving Howe, was compiling an anthology of Yiddish literature in translation, Bellow initially declined. He was teaching at Princeton University and finishing his novel, *The Adventures of Augie March*. He simply didn't have the time, he told Greenberg. But Greenberg, undeterred, suggested that he could come to Bellow and read the Yiddish to him; Bellow could translate right onto the typewriter.

And so it was—which allowed Greenberg to exercise a bit of deception. He omitted the overt anti-Christian references contained in the Yiddish original.

Over forty years later, Saul Bellow recalled Bashevis with ambivalence and some heat, recounting, in Yiddish, the unsatisfying details of their relationship. Long after the success of “Gimpel,” when the two met at a social gathering, Bellow asked Bashevis why he had never been invited to translate additional stories. Bashevis replied that if the works were greeted with acclaim, “they’ll say it’s you, not me.” Clearly, Bellow was not one of those men with whom Bashevis felt comfortable. Many years later, on the occasion of his Nobel award, Bashevis would stoop to mock Bellow, a fellow laureate and the very man who, although eleven years younger than Bashevis, had nonetheless managed to “put him on the map” of English-language literary life.⁹

Bellow’s rendition of “Gimpel” was followed in the *Partisan Review* by “From the Diary of One Not Born,” “translated” by Nancy Gross,¹⁰ who collaborated with Bashevis to produce the story in English, although she herself knew no Yiddish. Bashevis was unfriendly and ultimately vicious to Bellow, but he realized that the early translations into English of his stories, rather than his novel, had given him his American start.¹¹

Even so, Bashevis began making it into the bigger magazines, including *Harper’s*, only after Noonday merged with Farrar, Straus & Giroux. The unhappy experience with Alfred Knopf, who had helped Israel Joshua achieve a name among American readers, may have played a role in the subtle yet unmistakable shift from Bashevis to Isaac Bashevis Singer. Consciously or not, he had learned that Bashevis, the *enfant terrible*, would never capture the heart of an American audience. Those who had known him from the beginning might scoff, but Bashevis had correctly, if intuitively, perceived that for readers of English, an Eastern European Jew had to be old-fashioned, mild-mannered, even naive in order to be believable. Whether or not he knew what he was doing, Bashevis was never the innocent he claimed to be, according to Saul Bellow: “He was sophisticated. He was an opportunist. He was a careerist.”¹²

The works by Bashevis that came out in English between 1950 and 1970—*The Magician of Lublin*, *The Slave*, *The Manor*, *The Estate*, *Short Friday*, *The Spinoza of Market Street*, *A Crown of Feathers*—were set almost entirely in Eastern Europe. His first volume of short stories, *Gimpel the Fool and Other Stories*, contained some of the works that the author had penned while still in Poland. Initially, the reliance on Eastern Europe was compatible with Bashevis’s life as a recent immigrant. But, as the years passed, Warsaw and Bilgoray became less and less a part of his total experience. By the time he won the Nobel prize, in 1978, the man who now called himself Isaac Singer had been in the United States for forty-three years—well over half his lifetime.

The need to find a balance in his writing between Europe and the United States, between memory and current events, between commemoration and critique, affected Bashevis as he approached both his Yiddish and his English audiences. In each language, he was in constant conflict and flux.

At the same time that the figure of Isaac Singer was in its embryonic stages, Bashevis was writing in the *Forverts* under at least three names: Yitskhok Bashevis, Y. Varshavsky ("The man from Warsaw"), and D. Segal. As always, he reserved Bashevis, as he was known to his Yiddish readers, for his highest literary efforts. Varshavsky and Segal were the names he used for "lesser" or more popular items, such as his musings about the current state of Yiddish literature, including its politics and its morals.

Eventually, Bashevis began to write about Eastern European Jews in America, a process that was to occupy him more and more as the years progressed. In Yiddish, he published these works as Varshavsky. In addition, the original Yiddish of *In My Father's Court*, *Dem tatns bezdin-shtub*, appeared under Varshavsky's name. Bashevis's dilemma was clear: he wanted both to branch out in his American milieu and to perpetuate the events and the people of his European past. But he did not fully respect the works he wrote as Varshavsky. As far as the readership of the *Forverts* was concerned, Bashevis wished to disassociate himself aesthetically, both from the quasi-autobiographical flavor of his immigrant stories and from the memoiristic and elegiac voice that served to memorialize his family. In English, however, Isaac Bashevis Singer had no comparable restrictions. Moreover, these new efforts fit the image he was effecting: they were homespun and personal, filled with warmth and pathos.

Early in the 1960s, two novels made their way into English translation.¹³ *The Magician of Lublin*¹⁴ concerns Yasha Mazur, who, after a lifetime of expansive exploits and boundless lust retreats to self-imposed confinement, depriving himself of all external temptations. In *The Slave*,¹⁵ Jacob, a deeply religious man who has remained spiritually free despite physical enslavement, finds himself passionately involved with a non-Jewish woman.

The two novels differ in their historical and geographical settings. *The Magician of Lublin* takes place in and around the city of Lublin; the era is premodern but nonspecific. *The Slave* begins in rural Poland and concludes in Palestine; like *Satan in Goray*, it occurs after the Chmielnicki massacres of 1648. Nonetheless, the works are similar in a deeper, functional way. Both present a man who finds himself in an alien environment where he knows he does not belong. Yasha willfully capitalizes on his extraordinary skill as a showman, losing his bearings in the process, whereas Jacob has no control over his situation: he is simply captured. But each man discovers what it means to be attracted to the non-Jewish world and each falls in love with a non-Jewish woman.

Yasha, the magician, juggles a nice Jewish wife, whom he takes for granted, a pitiable non-Jewish mistress and performance partner, whom he maligns, and a beautiful non-Jewish widow, whom he idealizes. Ultimately, he eschews all intimacy with women, but not before his mistress has committed suicide and his distant love has abandoned him. In contrast, Jacob, the slave, finds a true soul-mate in Wanda, who converts to Judaism and becomes known as Sarah.

Despite the lures of the non-Jewish world, or at least, of non-Jewish women, both Jacob and Yasha are deeply and consummately religious Jews. Jacob's strife is sexual, not spiritual; even in captivity, he is intent on maintaining his faith, and he attempts to carve all of the Torah's 613 *mitsves* (commandments) on a rock in order not to violate these laws. Yasha's conflicts are more abstract, and his ultimate solution is more extreme. Yet he, too, retains his essential Jewishness, although he must isolate himself from all other stimuli to focus on it.

What was Bashevis seeking to communicate in these two novels? Like his characters, he was intrigued by his non-Jewish milieu and discovered that he was accepted there, at least superficially. Simultaneously, though, he was psychologically worlds away from his new environment and felt painfully out of place. The novels in English were greeted with interest and enthusiasm by the press, but the reviews often revealed a lack of comprehension. Critics pronounced variously on the vision of humanity portrayed in *The Magician of Lublin* and *The Slave*. They were especially intrigued by the "folkloristic" evocation of a backward Poland in which Jews were barely tolerated. Writing in *The New York Times*, for instance, Orville Prescott compared *The Slave* to *Pilgrim's Progress* by John Bunyan, and concluded by saying of the novel, "Mr. Singer's accounts of demons, werewolves, vampires, dibbuks and even of smoks are fine. His picture of the state of life in Poland 300 years ago is a revelation. Nevertheless, the necessities of his allegory, its folk-story simplicity, insure that 'The Slave' always seems a little unreal and very far away. The life in 'The Slave' is general to all humanity, not the kind of fictional life that readers can easily share vicariously."¹⁶

But Bashevis's problem was as much personal as cultural. In his home life, he was contending with the same issues that preoccupied him in his writing. He continued to be immersed in the endless arguments and conflicts of his life in Poland, and his Yiddish readership understood his position. Yet he was married to a woman from a completely assimilated, non-Yiddish-speaking home who could understand neither his language nor his religious grappling. For Bashevis, Judaism meant the orthodoxy he had known at home. He once remarked to a young student at Hebrew Union College, the Reform rabbinic seminary: "My father would consider all of you *goyim* [non-Jews]."¹⁷ For a man of Bashevis's background, Alma was scarcely Jewish at all.

Bashevis's sensitivity to his position among non-Jews as he revealed it in *The Magician of Lublin* was still evident years after the publication of the novel. In 1983, when asked about Magda's suicide, Bashevis explained that she had been forced to kill herself because she had made an anti-Semitic comment to Yasha, and she knew he would never forgive her.¹⁸

The English-language press did not manifest any understanding of Bashevis's struggles. The books of short stories he published in the fifties and sixties appealed because of references to the supernatural or mythical. Orville Prescott reported about *Short Friday* in *The New York Times* that "... even as artful a writer as Mr. Singer can't maintain a uniformly high standard in 16 stories. Several are

flat and tiresome. One, 'Yentl the Yeshiva Boy,' about a girl with a man's mind or soul, comes perilously close to being silly. So one must conclude that Isaac Bashevis Singer is an uneven writer as well as a greatly gifted one; and that the peculiar quality of his work is probably too special for most tastes."¹⁹

These American critics had no way of recognizing that a story like "Yentl" was not about a silly girl from a backward community but rather a work that concerned the longing to study in an environment that forbade such pursuits by females. Perhaps "Yentl" was Bashevis's imaginative rendering of his great-grandmother Hinde's frustrated aspirations, the study of a misfit even within a so-called monolithic Jewish culture. Whatever Bashevis's inspiration, the story is yet another exploration of the clash between the individual and an environment that is both familiar and deeply uncomfortable. Bashevis had seen that conflict first-hand, in the gender confusion that had spanned generations in his family and that had especially affected his parents and his sister. But his English readers had no concept of the ways in which Yentl's trials reflected his own observations.

In 1954, Bashevis's final link to the tumultuous world of Krochmalna Street was severed. His sister, Hinde Esther Kreitman, died in London at age sixty-three. For Bashevis, the loss could hardly have been trivial, given Hindele's influence on his early development, and given the fact that she was the last surviving member of his nuclear family. Yet, if he felt grieved by her death, he did not publicize the point. He did dedicate *The Seance* to her, but the tribute was muted and marred by an unfortunate printer's error: "In memory of my beloved sister Minda Esther." Moreover, Bashevis refused to romanticize his sister in his memoirs; for him, she remained forever fascinating but at the same time dangerous.

Bashevis's ambivalence towards Hindele during the last years of her life was obvious from his behavior. On one hand, he had gone to England to visit her and to introduce Alma to her as soon as World War II was over. The trip was no easy jaunt, since it represented an immense financial drain for the penurious couple. In addition, Europe was in ruins and food was short. Bashevis's need to reconnect with his sister, whom he had not seen since the late 1920s, must have been powerful.²⁰ On the other hand, both before and after the visit, he avoided Hindele and refused to be of help, even when she beseeched him.

In one letter, from 1944, Hindele begs him three times to answer her.²¹ In 1948, she is still asking him: "For God's sake, answer me soon!" Her request, in the same letter, that Bashevis arrange for her to come to America seems to have fallen on deaf ears, despite his sister's revelation that Avrom, her husband, had not worked for two years.²²

Bashevis's neglect of his sister had not been limited to silence and the unwillingness to bring her to the United States. He was capable of complete coldness towards her, on one occasion flatly denying her request for much-needed funds. During that period, Hindele was troubled by noisy neighbors,

who, according to her, deliberately banged on her ceiling in the middle of the night. The disturbance was especially grievous because of her frail health. Finally, she managed to procure another apartment, but she needed 200 pounds for “key-money.” She wrote to Bashevis, entreating him to help her, but he refused, explaining that she would have to live with her situation.²³

Perhaps the trip to London had, once and for all, discouraged Bashevis. He adored and respected his sister: “She did not write as well as I. J. Singer, but I do not know of a single woman in Yiddish literature who wrote better than she did.” At the same time, she aroused anxiety and tremendous disappointment in him: “When I came to London, she was weirdly glad to see me. She loved me with a great love that often seemed to me exaggerated and frightening. . . . Even those who could not get along with her praised her good-heartedness and refinement. But who can live with a volcano? After a few days of listening to her complaints and blame, I became weary. She could literally drive a person crazy.”²⁴

Hindele was, and always would be, the model of female excitement and passion for Bashevis. He would subsequently, again and again, recreate his sister in fiction.²⁵ However, he knew he could be overwhelmed by such energy, and he needed to avoid her and anyone who too closely resembled her. On that visit, Bashevis discovered that, for marriage, he needed someone more like Alma. “the total opposite” of Hindele.²⁶

Bashevis was now completely separated from all direct familial connection to his past. It is impossible to know how his public personality would have developed, had he not found himself in New York, orphaned and without siblings. During the 1950s and 1960s Bashevis was not yet Isaac Singer, the simple, old-fashioned sprite, but he was on his way. And it was largely his English-language critics who set him on this path. Through a combination of ignorance and misguided indulgence, they communicated to Bashevis that the only way to successfully memorialize his beloved Eastern European Jews was to stick them—and himself—into a timeless *shtetl*, to cut himself from the same cloth he had created in “Short Friday.” Orville Prescott concluded his review of *Short Friday* with the comment that “Those unfamiliar with the folklore of Polish Jews may find that the chief interest of some of these stories is anthropological, information about the customs and ideas of a backward and isolated community.”²⁷ It is difficult to imagine what part of this mind-boggling *New York Times* essay would have been more hurtful and insulting to Bashevis: the reduction of his art to local color, or the notion that his lost world had been crude and uncivilized. Prescott’s ignorance is matched only by his condescension, with its whiff of anti-Semitism.

A rare exception to the attitude of deprecation, unwitting or otherwise, was Richard Elman, who reviewed *In My Father’s Court* in *The New York Times*: “Bashevis Singer excels in the sensuous depiction of the physical world, whereas his Warshowsky [Varshavsky] persona would seem to have a more didactic point of view and an almost total recall of long-vanished people and events.”

Elman was unusual in his comprehension that Bashevis and Varshavsky served separate functions in the author's creative apparatus. In addition, he suggested that readers avoid the tendency to regard Bashevis as an assimilated American Jew: "The appearance of 'In My Father's Court' should . . . serve as a necessary corrective for those Singer enthusiasts who have been all too eager . . . to confuse their easy alienations with his felt sense of loss, or to interpret his abiding skepticism (itself a part of his commitment to Jewishness) as the expression of the 'black' spirit in modern man."²⁸ Elman did not warn against the other, and growing, popular view of Bashevis's work—that it was simple, if not naive.

The Yiddish press, in contrast, acknowledged Bashevis's sophistication, but it viewed his accomplishments with suspicion and dislike. As a social critic, Bashevis in Yiddish was harsh and conservative, completely unlike Isaac Bashevis Singer, the apolitical, wryly unworldly creature he was becoming in English. His remarks in the *Forverts* seemed calculated to offend whatever Socialists still remained as readers: "It may sound like terrible *apikorses* [heresy], but conservative governments in America, England, France, have handled Jews no worse than liberal governments. . . . The Jew's worst enemies were always those elements that the modern Jew convinced himself (really hypnotized himself) were his friends."²⁹

In only one area, literature, were Bashevis's pronouncements similar in Yiddish and English. Although his statements in English lacked the bite of those in Yiddish, the philosophy was the same ". . . analysis in art is as alien an element as, for example, emotion in mathematics or physics."³⁰

Bashevis's detractors in the Yiddish press took whatever opportunities they could to make him look cynical and hypocritical. He was in particular disfavor at the communist *Morgn-frayhayt*, no doubt because everything he stood for deviated sharply from the newspaper's ideology. Whenever they could, the columnists of *In der yidisher prese* (*In the Yiddish Press*), which quoted items from other Yiddish newspapers, gleefully maligned Bashevis. They had plenty of ammunition: his own words. They caught him swaggering, for example, during a radio interview: ". . . one thing is a fact—that my contact with the non-Jewish world and with very young people is really a perfect one. . . . Varshavsky-Bashevis has nothing to complain about. In his work, there is no lack of vulgarity, eroticism, various kinds of demons, and he makes fine business from that."³¹ Bashevis's remarks would likely have shocked his English readers, but he could be certain that they would never learn of his disdainful boasts. The interview aired on WEVD, named after socialist leader Eugene V. Debs, and known in Yiddish-accented English as "The Station That Speaks Your Lengvege."

In a particularly mean-spirited, and yet completely typical example of the insular passion that characterized Yiddish journalism in post-World War II America, the *Morgn-frayhayt* reprinted an article from the *Forverts* (December 26, 1963). Bashevis, speaking as Varshavsky, had railed against coarse literature, asserting that: "The whole world of entertainment is so immersed in dirt that the boundary between world and underworld has almost disappeared.

The judges read this dirty literature and hear the same vulgar jokes as the thief.” The response in the *Morgn-frayhayt* read: “A hearty congratulations, Mr. Yitskhok Varshavsky, for moralizing against Yitskhok Bashevis. Truly, congratulations.”³²

The author of this arch reaction did not care about, and probably did not perceive, the painful inner dissension beneath Varshavsky-Bashevis’s two-faced insincerity. Bashevis was both judge and thief, both moral critic and trickster. Finding a place in America meant relinquishing part of his essence. The more he became Isaac Bashevis Singer, the less he could continue to be Bashevis.

Bashevis’s restless search for a mediated existence between old world and new, between Bashevis and Isaac, found concrete expression in his travels during the 1950s and 1960s. Bashevis once asked his friend Ophra Alyagon when she was visiting him in New York: “What is there to see in the world that you don’t have here? Everything a person is capable of seeing is already inside of him.”³³ Despite Bashevis’s pronouncement, the Singers continued their pattern, established in the 1940s, of taking long foreign trips. Two of their favorite spots were Israel and Switzerland,³⁴ illustrating Bashevis’s uneasy attempt to harmonize his attachment to tradition and his captivation with new circumstances.

Israel was an obvious choice. It was the Jewish homeland, and, in his youth, Bashevis had thought of himself as a Zionist; moreover, his son and grandchildren were there. Switzerland was less likely: an insulated country not known for its friendliness to Jews.

Bashevis had used Switzerland, in *The Family Moskat*, to illustrate Oyzer Heshl’s experience of feeling lost and alien in a new environment. The fictional representation fit Bashevis’s own first reaction to Switzerland. Even in calm, peaceful, prosperous, French-speaking Lausanne, he felt out of place: “I passed enormous churches, where candles burned and women knelt. I passed the Jewish synagogue, which was shut. Evidently, there was no *minyén* during the week.” The scene, empty of Jews, may have aroused in Bashevis a futile longing for kosher food. In any case, he had entered a vegetarian restaurant, although he was still a meat-eater at the time. But the foray provided scant comfort: “A few young men were sitting there who looked like idealists. . . . They ate dairy foods and dreamed of eternal peace. . . . I understood better why the protagonist of *The Family Moskat*, Oyzer Heshl, couldn’t stay there for long.”³⁵

In the context of Alma’s experience, the attraction to Switzerland made sense. She had studied there as a young woman and, later, the country had provided refuge for her and her first husband, when they fled Germany in 1936. Switzerland was an ideal location for Jews who refused to go to Germany: one could find order, cleanliness, and even linguistic comfort without having to make the discomfiting and perhaps humiliating decision to enter the former realm of the Nazi regime.

Bashevis refused ever to set foot in Germany. Not so Alma. Once, when he was to receive an award in Dortmund, he delegated Alma to represent him. The proposed trip sparked a fight between the two, because Bashevis wanted

her to deliver a speech that he had written; she thought she should deliver a speech of her own about herself. On that occasion, Alma prevailed.

The consequences of the marital tiff were negligible, but the disagreement pointed to a fundamental and lasting contradiction in Bashevis's life. He could not be, simultaneously, the worldly-wise and sharp-witted gadfly that Yiddish journalists loved to hate, and the frail and childlike anthropological guide that American critics and readers read with damp-eyed nostalgia. He no longer had a home in Eastern Europe, and Western Europe was no substitute. Yet he would never become Americanized: He was a Yiddish writer adrift in a world where few people knew his heritage—although many imagined they did—and where those closest to him could not understand Yiddish.

Bashevis's attempt to integrate the two divergent claims on his life was not a success. Gradually, he effected a deep compromise. Most formidable were the concessions he made concerning his name. Bashevis needed to integrate his developing American life into his fiction. No longer a greenhorn, he would never cease to be a transplanted Polish Jew. The postwar years may have eased the sheer agony of the Holocaust, but Bashevis continued to be reminded of the catastrophe that had forever diminished his existence. As a way of expressing his changing but nonetheless complicated circumstances, he developed a narrative device in which a successful Yiddish writer living in New York was contacted by a series of zany Holocaust survivors. They confided to him their stories about Eastern Europe and the aftermath of World War II. Although many of these stories later appeared in English in the prestigious *New Yorker*, in Yiddish, the author refused to dignify them with the signature *Bashevis*, because he could not bring himself to acknowledge this foray into a new cultural environment.

Beyond his writing, however, Bashevis's effort to consolidate his European and American experiences also influenced nonliterary aspects of his lifestyle—his dwelling, his attire, even his diet. These behaviors served a dual purpose. They brought him closer to the milieu he had left behind in Poland, and they served to reassure him that he would not lose his Eastern-European-Jewish essence, despite a growing comfort in his new environment. All the members of Bashevis's immediate family were now dead. By setting up subtle boundaries between himself and his adoptive home, he could allow Isaac Singer to develop freely, without losing Yitskhok Bashevis. He did not have to fear that the son of Pinkhos Menakhem and Basheve, the brother of Israel Joshua, Hinde Esther, and Moyshe, would disappear from the world. The concrete gestures that kept alive his connection to the past also maintained Bashevis's link to those whom he had ambivalently loved, and whom he now endlessly mourned.

In 1965, the Singers moved into the Belnord Apartment House on a corner of Broadway and 86th Street. They had migrated to Manhattan from Brooklyn long before and had lived for twenty years at 103rd Street and Central Park West. Subsequently, they had spent some years on 72nd Street, off Columbus Avenue. They obviously enjoyed the ambiance on the Upper West Side, with its ethnic mix, its simple coffee shops, its down-to-earth

atmosphere. Although there were no doubt other features that made the 86th Street location attractive, the building's construction was especially appealing to Bashevis because it contained a courtyard. His friend and translator, Dorothea Straus, recalls that: "Singer once told me that he chose it because it reminded him of his childhood home on Krochmalna Street in Warsaw."³⁶

The courtyard provides a clue to the transformation that Bashevis was undergoing during the 1950s and 1960s. Although he was making decisive life changes, the shift was as much backwards as forwards. In subtle and probably unconscious ways, he was creating himself as a new-world version of his father. Beyond finding a place to live that could remind him of Krochmalna Street, Bashevis effected a particular and consistent style of dress and established his own dietary laws. Both maneuvers established him as a hybrid: no one would mistake him for his father, Pinkhos Menakhem, and countless Jews like him, but he nevertheless resembled his forebears. Bashevis was probably neither devious nor jaded enough to construct an entire external lifestyle for the purposes of publicity. More likely, he was cleaving to some version of the manners and boundaries with which he had been raised, even as he became increasingly unmoored from his years in Poland.

Richard Elman described Bashevis's customary apparel in the 1960s: "He wore the same severe costume every time I visited: a pair of dark suit trousers and a stark white cotton dress shirt, and plain black shoes. . . ."³⁷ Bashevis's ubiquitous blue suit, while not literally reminiscent of Hasidic garb, nonetheless revealed him as different and other-worldly. At the ceremony for which that otherworldly quality was most lavishly recognized, the Nobel prize ceremony, Eric Pace would later write in *The New York Times*: "When he gave his Nobel prize lecture in Stockholm yesterday, he wore a plain blue suit, the same outfit in which he has been seen for years around New York."³⁸ Perhaps Bashevis's impulse to wear the same outfit in private as well as in public was a specific identification with his father, who had to be prepared at any time for people entering his home to seek counsel. This may also help explain why Singer insisted, for most of his years in New York, on having his telephone number listed and on spending time with all sorts of visitors. A rabbi does not hide himself from the public. As Singer remarked to Mark Golub, while referring to his comfort with the Yiddish language: ". . . in Yiddish, I feel like a man at home—you take off your jacket—although I don't take off my tie and jacket at home, but this is my own business."³⁹

The most striking constraint that Bashevis created for himself in the United States was his strict vegetarianism. The resolve to avoid meat and fish matches the profile of a man erecting barriers between himself and his milieu.⁴⁰

The conversion to vegetarianism came relatively late for Bashevis: he was almost sixty years old. It is therefore unlikely that the decision stemmed from lifelong feelings of compassion for animals, despite Bashevis's assertion, in *Love and Exile*, that he had been haunted since childhood by the scream of a mouse being tortured by a cat.⁴¹ More likely, his determination

not to eat flesh was connected to post-Holocaust feelings of revulsion against human cruelty, misuse of power, and disregard for life. At the same time Bashevis's close regulation of what entered his body was a secular version of *kashrus*, the Jewish dietary laws.

Bashevis discussed his vegetarianism in several distinct ways, which together hint at the complex meanings of the stance for him. First, he implied that he had been a vegetarian for much longer than was actually the case, although he never explicitly lied. The subterfuge is evident, for example, in his *Love and Exile*, where the admittedly autobiographical protagonist is already a vegetarian on the ocean voyage to America in 1935. Eventually, this implication made its way into the English-language press as a complete falsehood: "Singer has been a vegetarian since his early youth."⁴²

In the years after the Nobel prize, when his fate as Isaac Singer, Eastern European *naif*, was forever sealed, Bashevis made light of his stance, quipping, for example, that: "I am a vegetarian for the sake of health—the health of the chicken!"⁴³

Yet there were, as well, serious statements in which Bashevis acknowledged how deeply the subject affected him and how earnestly he took the decision. In Yiddish, Bashevis was explicit about the spiritual longings contained in his vegetarianism: "My whole life I felt that it is an insult to eat living creatures. . . I thought to myself, how can I speak of God's mercy when I myself am cruel and eat the creatures which I should love."⁴⁴ Bashevis evidently enjoyed talking about his vegetarianism: "I always liked meat and I think it is perfectly healthy. But I feel animals are not made to be killed. I have my two birds, they are such lovely creatures—the thought of someone eating them makes me sick. I realize that in this world things are made so animals and people have to kill each other. It can't be helped. But it is not my duty to help in this destruction. . . . No human being has what animals have. They should be our teachers and masters, not our food. They are humble, they have humility, they are sincere. They are not something to eat, they are God's beautiful creation."⁴⁵

In a later interview, Bashevis related an account that could have been a short story, so powerfully does it evoke the moral yet deeply personal reasons he might have had for swearing off the consumption of living creatures: "I wasn't a vegetarian from childhood. It started some 10 years ago when a bird I was attached to fell into a narrow vase. He could have stayed afloat, I suppose, but I wasn't at home to help him get out. The effort and the despair must have killed him. I said to myself that now is the time or never."⁴⁶

Bashevis had a particular connection to birds. Of all creatures, they were the only ones who played a part in his daily existence. Mirra Ginsburg, one of Bashevis's early translators, tells a story that, in her opinion, explained his affection: One day a parakeet flew into Bashevis's apartment. He was so delighted with this unusual and fortuitous event that he determined not to eat meat again. The event also led to his owning a series of parakeets.⁴⁷

As much as Bashevis clearly loved birds, he seemed also to have identified with them. When his original parakeet disappeared as mysteriously as it had shown up, Bashevis declared publicly that he had lost his faith in God. When a neighbor asked incredulously how he could utter such a statement, he turned on her, shaking a finger in her face: "God doesn't need you to defend Him," he retorted. Bashevis's reaction suggests his conviction that the fate of the bird was comparable to his own. Both he and the bird were equally important—and equally insignificant—in the cosmic scheme.

In 1968, Bashevis commented: "I feel that since I'm a vegetarian that not only man, but even the animals belong to my community. They suffer just as we do. They are made of blood and flesh. To me a pigeon is a part of my community."⁴⁸ In part, the public affection coincided with the development of Isaac Bashevis Singer; over the years, the sight of the little old man feeding pigeons on the Upper West Side became increasingly familiar to his admirers. At home, Singer allowed his parakeets to fly uncaged, until he decided that the freedom was dangerous for them: "I suffered so much when they suffered, when they got sick, got lost or fell down, that in a way I am happy I don't have them anymore."⁴⁹

Bashevis's vegetarianism certainly goes deeper than the need to create a persona who would appeal to an audience longing for a benign Eastern European grandfather. The self-imposed prohibition against exerting power over any living creature was linked in his mind to the events of the Holocaust. The story "Pigeons," published in January, 1966, approximately four years after he had become a complete vegetarian, expresses in fiction his views about animal intelligence and human cruelty.⁵⁰

The story takes place in pre-World War II Warsaw. The protagonist, an elderly Jewish professor named Vladislav Eibeschutz, finds his life increasingly constricted by age, the death of his wife, and growing anti-Semitism. As his connection to other people diminishes, his involvement with birds expands. The apartment he shares with Tekla, his frail but loyal Polish housekeeper, resembles a giant cage: parakeets, canaries, and parrots fly free. The professor, heedless of his own rest, regulates the amount of light in the apartment according to the needs of the birds; he does not want to disturb their rhythms of sleep and wakefulness. On the street, the professor's only companions are the pigeons he devotedly tends.

One day, while out feeding the pigeons, the professor is the victim of an anti-Semitic attack. Mortally wounded by a blow to the head, he expires during the following night. After his death, he is praised and honored as a great scholar by the very colleagues who had forgotten or ignored him during his waning years. But his truest friends are the pigeons. Forming an aerial honor guard, they escort the professor's coffin to the cemetery. Then, their task completed, they fly off. By the next day, someone has painted a swastika on the professor's door, and most of the pigeons, sensing that their existence is in danger, refuse to accept the food that Tekla brings them. Those that do come down are wary:

"They pecked at the food hesitantly, glancing around as if afraid to be caught defying some avian ban. The smell of char and rot came up from the gutter, the acrid stench of imminent destruction."⁵¹

Who are these pigeons? According to the professor, pigeons resemble Jews: "Pigeons have no weapons in the fight for survival. They sustain themselves almost entirely on the scraps that people throw them. They fear noise, flee the smallest dog. They don't even chase away the sparrows that steal their food. The pigeon, like the Jew, thrives on peace, quietude, and good will."⁵²

During the crucial years after the Holocaust, Bashevis came to believe that, by eating meat, he was condoning the killing of innocent living things. He would not emulate those who had murdered his people.

Insofar as Bashevis's vegetarianism also represented a shift backwards, towards the life he had known in Poland, he could look to a specific role model: Meylekh Ravitch, one of his few friends, and also an older sibling figure, had been a vegetarian since the 1920s. Bashevis was actively aware of Ravitch's vegetarianism. Sometimes he joked about it, teasing his friend as he did in a 1943 letter: "How is your *parnose* [livelihood]? And how is your health? Are you still eating grass?" Eventually, however, he came to reveal just how seriously he took the issue. In a letter dated November 4, 1962, concerning an upcoming visit to Montreal, Bashevis told Ravitch: "It seems that I will be in Montreal on January 18, 1963, at the Jewish Congress. I'll address them on the 18th and the 20th. If so, I could perhaps lecture at the library on the 19th. Do me a favor and tell the librarian that the *only* people I envy in the world are the vegetarians. I myself am almost a vegetarian, but when I am invited to someone's home I don't want to be tricky or pretentious or stuffy. Quite often my wife brings me a bit of chicken. When I am alone, I never eat meat and I mainly eat alone because she works."⁵³

However long it took Bashevis to draw his important conclusions, he did not include Alma in the process of his transformation. She reported that Bashevis simply came to her one day and said, "I want to stop eating meat. Will you help me?"⁵⁴ Characteristically and significantly, the move to vegetarianism created another barrier between husband and wife. Years later, in 1975, Alma described the situation with good humor and unrepentance: "My three favorite dishes are turkey, goulash, rare roast beef, but my husband's been a vegetarian for the past thirteen years, no meat or fish—he does eat eggs—so a big part in our life is played by mushrooms. I make sauteed mushrooms every day. He loves them."⁵⁵

By the time Isaac Bashevis Singer won the Nobel prize, vegetarianism was as integral and unquestioned a part of his public personality as *kashrus* had been to his father. By attributing his decision to compassion, Bashevis avoided any discussion of spiritual and bodily purity. Yet, long before he stopped eating meat, the future vegetarian had hinted at his sense of inner pollution through the comical doodle that he used as a signature: it was a pig.

The earliest appearance of Bashevis's pig may have occurred only after he had left Poland. On a postcard to Ravitch in 1937, Bashevis writes simply: "*A sheynem dank. Ikh bin a-*" (Thank you very much. I am a-) followed by the drawing of a pig. There is nothing further in the correspondence.⁵⁶ Given the harsh Jewish prohibition against eating pork, Bashevis's self-description implies a sense of self as unclean, despite the attempt at joviality. Evidently, he no longer considered himself an unblemished Jew.

Later, in America, Bashevis tended to use the pig doodle when writing English. Alma reports that, during their courtship, he often signed his letters to her with a pig.⁵⁷ He also employed it in dedications to Elizabeth Shub, one of his earliest translators and herself a member of an illustrious Yiddish literary family: "He used to do something very cute when a book came out, some of the things I'd translate, he would always do a little drawing . . . which was very cute. He loved pigs. He loved pigs. . . . That was the trademark. Book after book." Why would he use such an autograph? Ms. Shub: "He's a pig."⁵⁸

The pig, the quintessential symbol of Jewish uncleanness, represented all that Isaac Bashevis Singer was becoming. An amusing anecdote he told years later nonetheless reveals his continued and painful awareness that he had disappointed his father: "My father . . . considered all secular books blasphemy—pornography. So my father used to tell people when they asked him, 'What are your sons doing?' he would say, 'They sell newspapers.' He considered this a very dignified way to make a living. But a writer?! So after a while he began to believe in it. Once when he came to Warsaw and he asked me, 'Are you selling enough newspapers to make a living?' I said, 'Not too many, but somehow I manage.'"⁵⁹

Bashevis had already transgressed while still in Poland, not only with his career choice but also with his sexuality. He had engaged in relationships with several women and had fathered a child out of wedlock. In the United States, his position was even worse. In the eyes of his parents, could they have seen him, he was defiled. By abandoning orthodoxy, he had rejected their values; by moving to the United States and marrying a German-Jewish woman who understood no Yiddish, he had thrown away a sacred lifestyle that was now facing extinction. Above all, if the Yiddish language stood for all that was purely Eastern European Jewish, Isaac Bashevis Singer's increasing attention to an English-reading public proved his corruption. He—a pig—had survived while millions of chaste souls had perished. He was debased.

Bashevis attempted to cleanse himself by adopting a dietary regimen that was even stricter than that of his father. Even so, he felt blameworthy. In a comment to television personality Dick Cavett in 1977, Singer bemoaned the fact that, although he would not eat any living creature, he could not stop himself from swatting at flies and mosquitos when they annoyed him; this lapse made him a bad vegetarian.

Bashevis's vegetarianism served to separate him from his American milieu and to connect him symbolically with his past. Yet, his feeling that he

was degraded and shameful persisted unassuaged. Bashevis's continued self-chastisement may have resulted from a confrontation that occurred several years before his final conversion to vegetarianism. In 1955, Bashevis was reunited with Israel Zamir, the son he had not seen for twenty years. The encounter demonstrated unequivocally that he had been responsible for grave cruelty to an innocent and vulnerable human being, who was, moreover, his own flesh and blood. During the years that followed the first meeting, Bashevis would be reminded again and again of his human failures. Not only his son, but his wife as well, were forced to accept his lapses. That they did so merely exacerbated Bashevis's knowledge that he was corrupt.

NOTES

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3. Courtesy, Singer Archives, University of Texas, Austin.
4. Isidore Haiblum, "The 'Hidden' Isaac Bashevis Singer," *Congress Bi-Weekly* (Dec. 25, 1970): 33–34.
5. Alma Singer.
6. Isaac Bashevis Singer, "What's In It For Me?," *Harper's Magazine* (Oct. 1965): 170. Hereafter cited as "What's In It For Me?"
7. Isaac Bashevis Singer (as Y. Varshavsky), "Fun der alter un nayer heym" (From My Old and New Home), *Forverts* (Sept. 21, 1963–Sept. 11, 1965), April 24, 1965. Hereafter cited as *Heym*.
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10. Nancy Gross was the daughter of A. Gross, the ill-fated translator of *The Family Moskat*.
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12. Saul Bellow.
13. After *The Family Moskat*, Bashevis published another huge, sweeping historical novel about Poland. Published in English as two novels, *The Manor* and *The Estate* did not appear in English until 1967 and 1969, even though they had been serialized in the *Forverts* between 1952 and 1955.
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20. *Heym*, April 2, 1965.
21. Courtesy, Singer Archives, University of Texas, Austin.

22. Letter from Hinde Esther to Bashevis.
23. Personal correspondence from David Ellenberg, June 27, 1994.
24. *Heym*, April 9, 1965.
25. Masha, in *Enemies, A Love Story*, Dora, in "A Tale of Two Sisters," Margit Levy, in "Neighbors," and Magda, in *The Magician of Lublin*, are just a few of the many passionate and unstable women Bashevis invented over the course of his long career.
26. *Heym*, April 9, 1965.
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28. Richard Elman. "Singer of Warsaw," *The New York Times Book Review* (May 8, 1966): Sec. 7, 1.
29. Isaac Bashevis Singer quoted in *Morgn-frayhayt*, July 15, 1965.
30. Isaac Bashevis Singer (as Y. Varshavsky), "Iz der roman a farelterte form in der literature?" ("Is the Novel an Obsolete Form in Literature?"), *Forverts*, Sept. 25, 1966.
31. Chaim Suler, "In der yidisher prese," in *Morgn-frayhayt* (Sept. 22, 1966): 3.
32. B. Reynes in *Morgn-frayhayt* (Feb. 13, 1964): 6.
33. Ophra Alyagon, Interview, Sept. 1993.
34. Fern Marja Eckman, "Daily Closeup: Interrupted Melody," *New York Post*, July 6, 1972.
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54. Alma Singer, Interview, April 29, 1993.

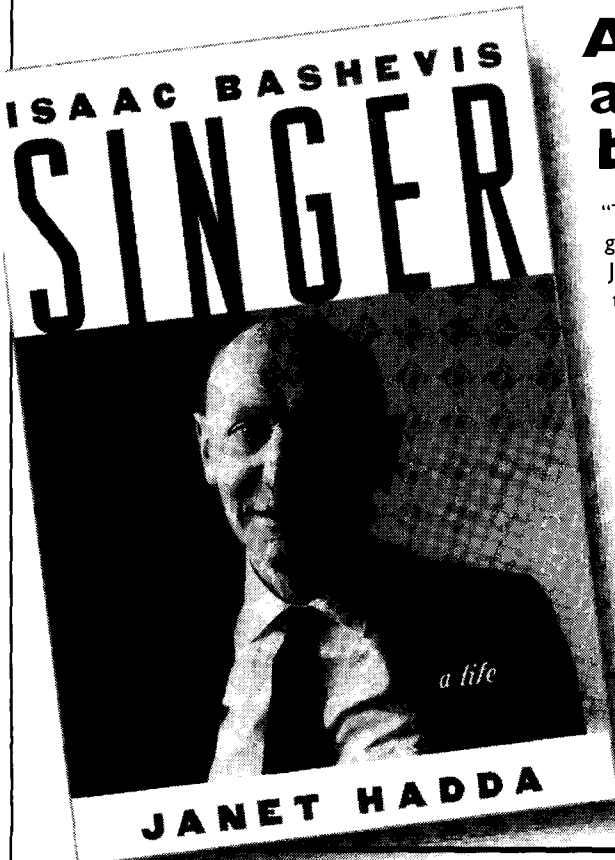
55. Tallmer, 13.

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59. Golub, 9.



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Shalom Bayit

To braid a *challah*
in a quiet house
is to work,
settling yeast
into water, salt
into flour, eggs
into dough,
separations yielding,
fingers sticky, sweet,
warm with morning
buoyancy

to braid a *challah*
in a quiet house
is to remember
a flecked recipe
beneath a window,
the path of four
hands kneading,
mother and child
back and forth
before and after,
again and again
blending

to braid a *challah*
in a quiet house
is to praise
small movements
of hand and eye
over, under,
weaving, crossing
small moments
twisting, waiting
watching the day
rise into golden
shalom bayit
shalom bayit.

DAVI WALTERS is a poet and educator in Chevy Chase, Maryland. Her poetry appears in such publications as *The American Scholar*, *Cross Currents: The Journal of Religion and Intellectual Life*, *Lilith*, *Ms.*, and many anthologies, including *Rage Before Pardon: Poets Bearing Witness to the Holocaust*, soon to be published by Northwestern University Press.

***The Friendly University:
Jews in Academia Since World War II***

EDWARD S. SHAPIRO

IN THE MOVIE *PETE AND TILLIE*, THE CHARACTER PLAYED BY Walter Matthau was asked why, since he was three-quarters Lutheran and only one-quarter Jewish, he insisted on calling himself Jewish. "I'm a social climber," he replied. The rapid economic and social mobility of Jews since World War II has presented a challenge to both scholars and laymen alike in understanding recent American Jewish history, wedded as many of them have been to interpretations of Jewish history emphasizing anti-Semitism and victimhood. What Salo Baron termed the "lachrymose" paradigm of Jewish history still resonates in certain sectors of American Jewry, although such an interpretation is unable to explain the major social patterns of post-World War II American Jewry. The great theme of American Jewish history, and this is particularly true of the post-war decades, has not been anti-Semitism, but the manner in which Jews have defined Jewish identity and responded to the unprecedented economic and social opportunities of this "goldenah medinah."

Nowhere in American culture has this rise in the status of Jews been more evident than in academia. According to Arthur Hertzberg, the universities were "the first established American institutional arena in which Jews entered and even joined the elite." This change initially manifested itself in 1968 with the naming of Edward H. Levi, a grandson of Rabbi Emil G. Hirsch, as president of the University of Chicago. This was the first time a Jew had been chosen head of one of America's prime universities, previously the preserve of Anglo-Saxon Protestants. The selection of Levi was followed by the appointment of other Jews to important positions within academia so that by the 1980s Jews had served as presidents of the two most prestigious of America's scientific universities (California Institute of Technology and Massachusetts Institute of Technology), leading state institutions such as the University of Michigan, Rutgers University, Indiana University, and the University of California, and the Institute for Advanced Study in Princeton, New Jersey.

It was in the Ivy League that the ascent of Jews up the academic ladder was most noticeable and remarkable. "Dartmouth," its president Ernest M. Hopkins had declared in 1945, "is a Christian college founded for the Christianization of its students." In the 1970s and 1980s, Dartmouth entrusted "the Christianization of its

EDWARD S. SHAPIRO is Professor of History at Seton Hall University and author of *A Time for Healing: American Jewry Since 1945* (1992). This essay grew out of his research in the recent social history of American Jews, particularly their acculturation and social and economic mobility. His article "Pat Buchanan and the Jews" appeared in the Spring 1996 issue.

students” to two Jewish presidents. Jews also served as the presidents of the University of Pennsylvania, Columbia University, and Princeton University, and Jews were deans of the law schools at Columbia, Harvard, and Yale. In the 1990s, Harvard and Yale also selected presidents with Jewish backgrounds. By 1993, Jews headed five of the eight Ivy League institutions.¹

An important step in transformation of the Ivy League into what one wit called the “oi vey” league occurred on November 29, 1990. On that day the dean of Harvard’s Faculty of Arts and Sciences met with the executive vice president of the Mellon Foundation in New York to see whether he would be interested in succeeding Harvard’s current president, Derek Bok, who had announced his retirement the previous May. This meeting was part of a grueling selection process in which over seven hundred and sixty applicants had been considered, including Indiana University president Thomas Ehrlich and Dartmouth College president James O. Freedman. Harvard eventually narrowed the search to four candidates: a Harvard economist, a Harvard Medical School geneticist, the provost of the University of Chicago, and the Mellon vice president. On March 24, 1991, the Harvard Corporation formally selected as its new president the Mellon Foundation official. According to reports in the *New York Times* and *Time*, the most unusual and noteworthy characteristic of Harvard’s new president was that he had not attended Harvard College. (He had earned his B.A. at Princeton.) This, however, was not a fatal flaw since he had a Ph.D. from Harvard in English literature. Also of interest was the fact that his father had been a guard at Sing Sing prison.

For those fascinated with the history and sociology of American ethnic succession, however, the most notable fact about the selection was its Jewish aspect. Two of the final four candidates—the economist Martin Feldstein and the geneticist Philip Leder—were Jews, and the parents of the successful candidate, Neil L. Rudenstine, were a Jewish immigrant from Russia and a second-generation Italian. Moreover, the Harvard dean who had broached the idea to Rudenstine was Henry Rosovsky, who himself had been a serious candidate for the presidency until he withdrew his name from consideration. Rosovsky, the first Jew to sit on the Harvard Corporation, had been born in Danzig (now Gdansk), Poland and was married to an Israeli. Neither the *Times* nor *Time* mentioned Rudenstine’s ethnic background, evidently believing it to be unimportant. If so, then the most important aspect of the *Times* and *Time* coverage was the topic they considered to be unworthy of mention.²

One wonders what A. Lawrence Lowell would have thought of this development. A vice president of the Immigration Restriction League and Harvard’s president during the 1920s, Lowell was not enamored of Jews, Italians, and other undesirable immigrants from southern and eastern Europe. “I long ago came to the conclusion that no democracy could be successful unless it was tolerably homogeneous,” he said in 1918. Robert Morss Lovett noted that in dealing with immigrants, Lowell was “no longer straight-forward and scrupulous, but indirect and tortuous, his behavior a mixture of insolence and cunning.” The most famous example of this “cunning,” besides Lowell’s role in encouraging the execution of the Italian anarchists Nicola Sacco and Bartolomeo Vanzetti, was his 1922 proposal to solve Harvard’s “Jew problem” by limiting the Jewish enrollment in Harvard College. Lowell claimed his suggestion had only the Jews’ best interests at heart, since it would diminish the anti-Semitism caused by the Hebrew invasion of Cambridge. Actually Lowell disliked Jews, believed they could not be both

Americans and Jews, and asserted that they would have to give up their “peculiar practices” before they could expect to be treated equally. Lowell and other Harvard administrators claimed that Jews lacked the proper “character” for Harvard. Character denoted personality, manners, morals, and other vague qualities which were to be used to restrict Jewish enrollment. Thus Henry Pennypacker, chairman of Harvard’s admissions committee, warned in 1926 of applicants with “extreme racial characteristics” who did not have the requisite “character, personality, and promise.”³

Some Harvard students vigorously supported Lowell’s goal of restricting Jewish enrollment at Harvard. They argued that the proper Bostonians, “the men who have made Harvard what it is today,” would not continue sending their sons and bequests to Harvard if the university continued its transformation into a yeshiva. “Were it only a matter of scholarship,” one group of undergraduates declared, “there could be no objection to Jews at all. But they do not mix. They destroy the unity of the college.” Such attitudes led Professor Harry A. Wolfson, the distinguished Harvard historian of philosophy, to suggest during the 1920s that Jews should “submit to fate” rather than “foolishly struggle” against prejudice. To be “isolated, to be deprived of many social goods and advantages,” Wolfson wrote, “is our common lot as Jews.”⁴

Prior to World War II, Jews had found it nearly impossible to break into the academic big leagues. Selig Perlman, a labor economist at the University of Wisconsin, warned Jewish graduate students in history to switch to economics or sociology. “History belongs to the Anglo-Saxons,” he told them in his deep Yiddish accent. Jews specializing in American history had a particularly hard time getting jobs. Universities were reluctant to entrust the teaching of the nation’s sanctified history to outsiders, particularly to East European Jews who were believed to lack gentility and to be too politically radical.

Mentors went out of their way to emphasize to prospective employers how their own Jewish graduate students differed from the run of the mill Jewish students. One senior professor at Harvard, Arthur M. Schlesinger, claimed that one of his students measured up “to the whitest Gentile I know,” and said that Oscar Handlin “has none of the offensive traits which some people associate with his race.” As late as 1962, Carl Bridenbaugh of Brown University, in his presidential address to the American Historical Association, complained about the distortions of American history being committed by those with immigrant and urban backgrounds. In this thinly veiled attack on Jewish historians, Bridenbaugh argued that they “find themselves in a very real sense outsiders on our past and feel themselves shut out. . . . What I fear is that the changes observed in the background . . . of the present generation will make it impossible for them to communicate to and reconstruct the past for future generations.” Bridenbaugh’s address was given in Chicago at a time when Daniel J. Boorstin of the University of Chicago, a descendant of Eastern European Jews and the future head of the Smithsonian Institution and the Library of Congress, was the city’s most illustrious American historian.⁵

The history of Jews at Columbia, Princeton, and Yale resembled that of Harvard. Columbia’s “Jewish problem” had been more acute than any other Ivy League institution because its location in New York City made it attractive to the city’s large Jewish population.⁶

As early as the eve of World War I, Columbia officials expressed concern that future members of the American social and economic elite were avoiding Columbia and enrolling at other institutions, such as Williams and Amherst, where there were few Jews. At this time about forty percent of Columbia's undergraduate students were Jews. "Isn't Columbia overrun with European Jews, who are most unpleasant persons socially?" Dean Frederick P. Keppel of Columbia College asked rhetorically. In response to such fears, Columbia pioneered in devising means to limit the Jewish influx, including geographical quotas, personal interviews, tests for "character," and requiring applicants to furnish photographs and their mothers' maiden names. Other universities followed Columbia's example, confident that these stratagems would enable them to weed out the social misfits.

In 1980, Columbia University chose Michael I. Sovern, who had grown up in the Bronx near Yankee Stadium, as its new president. Columbia had been founded as an Anglican institution in the mid-eighteenth century, and its president had always been an *ex officio* member of the board of trustees of the Cathedral of St. John the Divine, the official seat of New York's Episcopal bishop, located a few blocks from the Columbia campus. Sovern was probably the first professing Jew in history to be a member of the governing body of any cathedral. Had he applied to Columbia College before World War II he might have been rejected because of his purported unpleasant social traits. Instead, a half century later, he became a trustee of perhaps the most prestigious Episcopal church in the United States.

Seven years after the selection of Sovern, Princeton University appointed Harold T. Shapiro to succeed William G. Bowen as its president. A native of Montreal, where his family owned Ruby Foo's, the city's most elegant and expensive Chinese restaurant, Shapiro had earned a Ph.D. in economics from Princeton, and was then the president of the University of Michigan. He had been a leading candidate for the presidency of Yale before he withdrew his name from consideration when the Princeton position became open.⁷ The selection of Shapiro represented a quantum leap in the social status of Jews. Princeton was probably the most socially exclusive of American universities, and it had always prided itself on its cachet. When the *Social Register* began publishing early in the twentieth century, it chose Princeton's colors, orange and black, as the colors of its binding. Princeton's selective admissions policy, its informal quota for Jewish applicants, and its eating clubs reinforced its elitist reputation. The class of 1935, for example, had only five Jews, and the university's Jewish students were made to feel that, as a group, they were aliens.⁸

Yale's selection of a Jewish president came later than that of Harvard, Columbia, and Princeton, but it was not for lack of trying. In 1977, Yale offered its presidency to Henry Rosovsky. Despite the urging of his wife, Rosovsky rejected the position, just as he had rejected an offer that same year to head the University of Chicago. He stated that under different circumstances he might have accepted the Yale presidency, but by 1977 the barriers to Jews in academia had been lowered, and a Jew becoming president of Yale did not have the significance it would have had even as recently as a decade earlier. Yale then turned to A. Bartlett Giamatti, a member of its modern language faculty. Although half-Italian, Giamatti was at least a Protestant.

Prior to World War II, Yale's leaders would never have considered people named Rosovsky and Giamatti. Yale's unofficial policy was to limit the Jewish

presence among its faculty and students. No Jew received tenure on the Yale College faculty before World War II. As was true at the other Ivy League institutions, Yale feared that its traditional student clientele could not or would not compete with intellectually aggressive and ambitious Jews. According to Robert N. Corwin, chairman of Yale's admission committee in 1922, Yale's typical Jewish student was "as naked of all the attributes of refinement and honor as when born. . . . His wits have probably been sharpened but he has not gained wisdom, at least not the kind expected of college men." Corwin forget to mention that Jews, more than any other group of Yale students, were also the most likely to be able to read and understand the Hebrew inscription on the Yale seal.⁹

Yale's officials pondered whether the university would be able to civilize its Jewish students before its Jewish students Judaized Yale. Roswell Angier, a psychologist and the freshman dean, claimed in May 1922 that Jews "are more or less in the nature of a foreign body in the class organism. They contribute very little to class life." Frederick S. Jones, dean of Yale College, also feared the impact of Jews on Yale. "We should do something to improve them. If we do not educate them, they will overrun us," he exclaimed in 1918. "We have got to change our policies and get them into shape. A few years ago every single scholarship of any value was won by a Jew. . . . We must put a ban on the Jews." Christians, he claimed, refused to compete for academic honors if it meant having to match wits with "greasy grind" Jews. Seven decades after Jones made this statement, the dean of Yale College would be the distinguished classical historian Donald Kagan, a Jew born in Lithuania with a B.A. degree from Brooklyn College.¹⁰

Yale's effort to restrict Jewish enrollment was supported by the student-run *Yale Daily News*. A 1926 editorial claimed that Yale should "institute immigration laws more prohibitive than those of the United States government." This would filter out the "unkempt" and prevent Yale from being transformed into "a brains plant." The *Yale Daily News* proposed that Yale go even further than Columbia and Harvard, which only required prospective freshmen to submit personal photographs of themselves. Yale should demand that applicants furnish photographs of their fathers as well! While the Yale administration did not go that far, it did drastically reduce the number of Jewish undergraduates. Whereas the class of 1927 was 13.3% Jewish, the class of 1934 was only 8.2% Jewish. One of those who strenuously protested Yale's anti-Jewish policy was an undergraduate named Eugene Rostow. Three decades later Rostow would be dean of the Yale Law School.¹¹

In April, 1993, Yale selected Richard C. Levin, a former chairman of the university's economics department and dean of its Graduate School of Arts and Sciences and one of Angier's "foreign" bodies, as its president. His family background contrasted dramatically with that of the Northeast Protestant social and economic establishment from which Yale had traditionally drawn its leaders. Levin's father was a salesman for a liquor importer, and his mother's family owned a theatrical costume company.

Jewish enrollment at Yale, Harvard, Princeton, and Columbia increased dramatically after World War II. By the 1970s, approximately one-quarter of their undergraduates were Jews. Jewish enrollment at the other four Ivy League schools also increased. Princeton's Hillel chapter even assisted the university's admission office in recruiting Jewish students. A comment in 1962 by Yale's dean of

admissions reflected this change in policy. When asked by a prospective Orthodox student whether eating kosher would be held against him, he responded, "Absolutely not, although it's something you might want to hold against us." A few years later Yale's Whiffenpoof singers selected an Orthodox Jew to join its ranks. Much to the surprise of old Yalies in the audiences, he wore a skullcap during concerts.¹²

With a larger percentage of Jewish students, the Ivy League institutions became more sensitive to Jewish concerns, such as providing kosher food, exempting Jews from Saturday examinations and classes, and not scheduling university events on Jewish holidays. In 1985, for the first time in its history, Princeton rescheduled the opening day of classes so that it would not conflict with the Jewish New Year. When one of Harvard's commencements in the 1980s inadvertently fell on the Jewish holiday of Shavuoth, the university vowed this would never happen again. The increase in Jewish enrollment resulted in an active Jewish cultural life on Ivy League campuses. Princeton's Jewish students sponsored a Jewish quarterly newspaper, Israeli and Yiddish film festivals, a Hebrew choir, lectures and concerts, religious services ranging from Reform to Orthodox, and a "free Jewish University" offering a variety of courses in Judaism and Jewish culture. Princeton also had one of the three kosher kitchens in the country directly operated by a university. The other two were at Brandeis University and Yeshiva University.¹³

These Jewish activities were due not only to the increased number of Jews on the campus, but also to the fact that these Jewish students, in contrast to their parents and grandparents, were not reluctant to display publicly their Jewishness. It is now common to see students in skullcaps walking across college campuses. Jewish professors and administrators were also more vigorous in making their Jewish identity visible and in protesting policies that worked against Jews. Several Harvard law professors even established a short-lived kosher delicatessen in Harvard Square in the late 1980s named Maven's Kosher Court. One Harvard professor publicly objected to the university's admission policy which, as one university official explained, was designed to limit the number of students from the "donut" suburban communities surrounding the large eastern cities. Those were not donuts, the professor said. They were "bagels."¹⁴

The increased Jewish visibility in academia was even more impressive on the faculty level than among students. Prior to the 1940s, Jewish professors in elite universities were a rarity. This was also true in England and Germany. Until the late nineteenth century, Oxford and Cambridge were Anglican institutions providing a liberal education for a privileged class destined for the clergy or government service. Protestant dissenters, Roman Catholics, and Jews were excluded both as students or dons. Only when the control of the Church began to loosen in the late nineteenth century were non-Anglicans made to feel welcome at Oxbridge, and it would not be until half a century later that there would be a significant number of Jewish students and faculty at England's two preeminent universities.¹⁵

Jews were also unwelcome in German universities during the nineteenth and early twentieth centuries. One of the tasks of the German university was the inculcation of *bildung*—culture and cultivation—which, it was widely believed, was alien to the Jewish temperament. Although there were many Jews in the lower professorial ranks, it was very difficult for them to become associate and full professors. Academic advancement required recommendations by full professors, and this was often hard to come by. The sociologist Robert Michels was forced to

accept a position in Italy despite the efforts of Max Weber, his teacher, to secure him an academic appointment. The sociologist Georg Simmel did not become a professor until 1914 when he was 56 years old, four years before his death. The eminent philosopher Ernst Cassirer made full professor only when he was 45, and then at the new University of Hamburg. "In Germany," Weber noted, "the freedom of learning exists only within the limits of officially accepted political and religious views." German academia, the historian Fritz K. Ringer has shown, was a highly integrated, homogeneous nationalistic "mandarin" community. To some German academicians, Jews symbolized national decomposition. The historian Georg von Below, for example, argued that Jews tended "to acquire influence by indulging and arousing the instincts of the proletariat and to make unpatriotic politics with this influence." Not surprisingly, Jewish intellectuals often found careers outside the university—in journalism, publishing, private institutions, and, as in Michels' case, by leaving Germany.¹⁶

As was true in many other aspects of American life, World War II was a watershed for higher education. Encouraged by the G. I. Bill of Rights and by the economic opportunities available to those with undergraduate and advanced degrees, college enrollments soared after 1945. On the eve of World War II, American college students numbered approximately 2.65 million. By 1975, they exceeded eight million. Faculty grew during these three and a half decades from 147,000 to 600,000. With universities competing with a booming private sector for personnel, religious and ethnic barriers in the hiring and retention of faculty were lowered. Jewish academicians also benefited from the revulsion against all forms of anti-Semitism, including the elitist anti-Semitism of academia, resulting from the Holocaust. Prodded by Jewish organizations, New York, Massachusetts, New Jersey, and other states outlawed discrimination in employment and in college admissions. The federal government also looked askance at anti-Semitism in higher education. These political pressures were particularly important since the federal and state governments were rapidly increasing their funding of higher education. With the doors of academia now open, Jews interested in a teaching career no longer had to settle, as they had during the 1930s, for positions in second-rate institutions or in secondary education. Jews, who had made up only two percent of America's professors in 1940, were ten percent of academia by the 1970s and comprised a higher number at the elite institutions.¹⁷

Jewish professors were notable not only for their increased numbers but also for their high academic status. A 1937 report of the American Jewish Committee had noted that it was "very difficult these days for Jews to become full professors in the leading universities." Less than four decades later Everett Carl Ladd, Jr. and Seymour Martin Lipset noted that by every possible criteria, Jewish academicians had "far surpassed their Gentile colleagues." Although only three percent of the population, Jews comprised one-fifth of the faculty of elite universities and one-quarter of the faculty of the Ivy League. They were an even higher proportion among the faculty at elite medical and law schools. Jews tended to publish more frequently, were more committed to research, were promoted at an earlier age, and made more money than their colleagues. They also tended to be in the most intellectually demanding fields which stressed abstract and theoretical reasoning.¹⁸

This increased presence of Jews in academia also stemmed from developments within academia itself. Before World War II American private universities

had been self-consciously Protestant institutions committed to the education and cultivation of America's future economic, political, and cultural elite. Jews were perceived to be guests and their presence to be at the sufferance of their hosts. The presence of imposing Gothic chapels and divinity schools on the campuses of Yale, Princeton, Duke, Harvard, and the University of Chicago attested to their Christian character. In 1938, Charles Seymour stated in his inaugural address on becoming the president of Yale that "Yale was dedicated to the upraising of spiritual leaders. . . . The simple and direct way is through the maintenance and upbuilding of the Christian religion as a vital part of university life."¹⁹

After 1945, however, these universities, along with Oxford and Cambridge in England, became almost totally secular institutions little interested in their charges' "character" or moral and religious development. Christianity, the historian George M. Marsden wrote, became not merely peripheral to higher education "but also often came to be considered absolutely alien to whatever is important to the enterprise." The universities saw their task as fostering the intellectual distinction defined by scientific and professional criteria. The exclusion of Jewish "brains plants" from this intellectual meritocracy ran counter to academic ideals. In addition, the country's leading universities aspired to be national institutions, and this required reducing parochial religious, ethnic, and regional attachments. One indication of the spirit of secularism pervading the academy (and the country) was Harvey Cox's 1965 best-seller, *The Secular City*, which celebrated the secularization of the university. The effort to retain a Christian presence in the academy, Cox wrote, was a "cumulative catastrophe."²⁰

The friendlier attitude of America's elite universities toward Jews was also due to changes in the values and behavior of Jews themselves. As a result of their acculturation, their movement up the social and economic ladder, and their migration from Jewish neighborhoods in the inner cities to suburbia, Jews no longer stood out from other students. The goal of American German Jews to inculcate Eastern European Jews with "more polish and less Polish" had come to pass in the postwar decades. Indeed, the unofficial arbiters of American manners were now two sisters of Eastern European Jewish background named Dear Abby and Ann Landers.

The emphasis on merit that enabled Jews to advance in academia both as students and faculty did not go unchallenged. In the 1970s and 1980s the major objection to the principle of merit came not from old-line Americans wishing to restore their pre-war position, but from blacks, Hispanics, feminists, and other aggrieved minorities. They sought through affirmative action—what the Harvard sociologist Nathan Glazer called "affirmative discrimination"—to increase the number of students and faculty from among those who were otherwise unqualified on the basis of impersonal tests, publications, and degrees. Those concerned with maintaining academic integrity predicted, correctly as it turned out, that affirmative action would lower academic standards, devalue academic degrees, create an academic spoils system, and balkanize education into competing ethnic, racial, gender, religious, and political factions. For Jews, affirmative action was reminiscent of the anti-Jewish quotas of European and American universities prior to World War II, and they feared it would close an important avenue of social ascent. Ironically, affirmative action was encouraged, or at least tacitly accepted, by some Jewish academicians and administrators whose own advancement had been due to the spread of the merit principle.²¹

A particularly egregious example was Stephen Steinberg, a sociologist at the City University of New York. Steinberg's *The Ethnic Myth* argued that Jews were privileged because they had the economic and educational prerequisites to take advantage of the academic meritocracy. The fact that some individuals were hurt by affirmative action just as they had been hurt by pre-World War II quotas was, for Steinberg, "the price of a societal commitment to achieving racial parity in the professions." Steinberg asked fellow Jews whether they "will erect barriers behind them to protect their hard-won gains, or whether they will continue their historic battle against privilege." Such idealism was small consolation to those who, in contrast to Steinberg, lacked an academic position, much less tenure, and had only the comfort of knowing that they were being discriminated against for supposedly benign reasons.²²

Opponents of affirmative action agree with Randolph Bourne's 1913 statement that "scholarship is fundamentally democratic. Before the bar of marks and grades, penniless adventurer and rich man's son stand equal." Jews have a particularly good reason for opposing affirmative action. Making up less than three percent of the population, they are not in a good bargaining position if academic decisions are to be based on ethnic and racial considerations. The future of Jews (and Asians) in American academia will be determined partially by the extent to which the university remains faithful to the ideal of merit. As yet it does not appear that their proportionately high representation in the academy has been significantly affected by affirmative action. Whether this will continue to be true remains to be seen. Election returns and surveys of public opinion would seem to indicate that there are good reasons to be optimistic about the future.²³

NOTES

1. Lawrence Bloomgarden, "Our Changing Elite Colleges," *Commentary* 29 (February, 1960): 152; Arthur Hertzberg, *The Jews in America: Four Centuries of an Uneasy Encounter, A History* (New York: Simon and Schuster, 1989), p. 311.

2. For the selection of Rudenstine, see the *Harvard Magazine* 93 (May-June, 1991): 31-36, 69-71.

3. Louis Joughlin and Edmund M. Morgan, *The Legacy of Sacco and Vanzetti* (Chicago: Quadrangle, 1964), pp. 339-340; Alan M. Dershowitz, *Chutzpah* (Boston: Little, Brown, 1991), pp. 66-67.

4. Bloomgarden, "Changing Elite Colleges," 152; Charles E. Silberman, *A Certain People: American Jews and Their Lives Today* (New York: Summit Books, 1985), pp. 30-31; Seymour Martin Lipset and David Riesman, *Education and Politics at Harvard* (New York: McGraw-Hill, 1975), pp. 144-149; Stephen Steinberg, *The Academic Melting Pot: Catholics and Jews in Higher Education* (New York: McGraw-Hill, 1974), pp. 26-27. There were other aspects of Harvard's recent history besides the selection of Rudenstine which would also have appeared bizarre to Lowell. Could there be anything more ironic than Harvard's selection of Sacvan Bercovitch to fill the position in early American literature once occupied by the lofty Perry Miller? Bercovitch, a Jew who had been named by his radical parents for Sacco and Vanzetti, was responsible for teaching the sacred literature of New England, including that of Lowell's sister, the poet Amy Lowell. The Jewish invasion of Harvard also extended into the hallowed province of American colonial history, previously taught by such New England blue-bloods as Edward Channing, the son of William Ellery Channing and the nephew of Margaret Fuller, and Samuel Eliot Morison, whose statue adorns Boston's Commonwealth Avenue along with those of his Puritan ancestors. Morison's successor in the 1950s was Bernard Bailyn, the offspring of East European Hartford Jews. Bailyn's dissertation—a study of New England merchants during the seventeenth century—was directed by Oscar Handlin, the first Jew with an Eastern European descent to receive tenure in Harvard's history department.

5. Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (Cambridge, UK: Cambridge University Press, 1988), pp. 172-175, 369; Carl Bridenbaugh, "The

Great Mutation," *American Historical Review* 68 (January 1963): 323, 328–29.

6. A college song of the 1910s expressed the common view that Columbia was overrun with Jews.

Oh, Harvard's run by millionaires,
And Yale is run by booze.
Cornell is run by farmers' sons,
Columbia's run by Jews.
So give a cheer for Baxter Street,
Another one for Pell.
And when the little sheenies die,
Their souls will go to hell.

Stephen Steinberg, *The Ethnic Myth: Race, Ethnicity, and Class in America* (New York: Atheneum, 1981), p. 233.

7. This was the second time that a Jew jilted Yale.

8. Walter Goodman, "Bicker at Princeton: The Eating Clubs Again," *Commentary* 25 (May 1958): 406–410; Marcia Graham Synnott, *The Half-Opened Door: Discrimination and Admissions at Harvard, Yale, and Princeton, 1900–1970* (Westport, CT: Greenwood Press, 1979), p. 196.

9. Synnott, *Half-Opened Door*, p. 150.

10. Dan A. Oren, *Joining the Club: A History of Jews and Yale* (New Haven, CT: Yale University Press, 1985), p. 43; Synnott, *Half-Opened Door*, pp. 17, 130, 155.

11. Synnott, *Half-Opened Door*, p. 159.

12. Synnott, *Half-Opened Door*, pp. xix, xx, 209; Oren, *Joining the Club*, pp. 243–245.

13. Sanua, "Stages in the Development of Jewish Life at Princeton University," *American Jewish History* 76 (June 1987): 391–415.

14. James Yaffe, *The American Jews: A Portrait of a Split Personality* (New York: Random House, 1968), p. 52.

15. A. H. Halsey and M. A. Trow, *The British Academics* (London: Faber and Faber, 1971), pp. 43–45.

16. Fritz K. Ringer, *The Decline of the German Mandarins: The German Academic Community, 1890–1933* (Cambridge: Harvard University Press, 1969), pp. 3, 135–136, 143, 224, 239.

17. Everett Carl Ladd, Jr. and Seymour Martin Lipset, *The Divided Academy: Professors and Politics* (New York: McGraw-Hill, 1975), pp. 1–2, 56, 88–89.

18. Lipset and Riesman, *Education and Politics at Harvard*, pp. 149–150; Stuart E. Rosenberg, *The New Jewish Identity in America* (New York: Hippocrene Books, 1985), pp. 252–256; Hertzberg, *Jews in America*, p. 309; Steinberg, *Academic Melting Pot*, p. 123; Ladd and Lipset, *Divided Academy*, pp. 150–153.

19. Bradley J. Longfield, "‘For God, for Country, and for Yale’: Yale, Religion, and Higher Education Between the World Wars," in *The Secularization of the Academy*, edited by George M. Marsden and Bradley J. Longfield (New York: Oxford University Press, 1992), pp. 151–158.

20. David Bebbington, "The Secularization of British Universities Since the Mid-Nineteenth Century," in Marsden and Longfield, *Secularization of the Academy*, pp. 267–274; George M. Marsden, "The Soul of the American University: A Historical Overview," also in Marsden and Longfield, pp. 8–10; George M. Marsden, *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (New York: Oxford University Press, 1994), pp. 265, 417. For the rise of the modern research university, see Laurence R. Veysey, *The Emergence of the American University* (Chicago: University of Chicago Press, 1965), esp. chapters 2 and 3. For the relationship between the spread of science and secularism and the increased importance of Jews in American intellectual life, see David A. Hollinger, *Science, Jews, and Secular Culture* (Princeton: Princeton University Press, 1996), especially the chapter "Jewish Intellectuals and the deChristianization of American Public Culture in the Twentieth Century."

21. Nathan Glazer, *Affirmative Discrimination* (New York: Basic Books, 1975).

22. Steinberg, *Ethnic Myth*, pp. 249–252.

23. Randolph Bourne, *Youth and Life* (Boston: Houghton Mifflin, 1913), p. 318.

Jesus as an Historical Jew

ARNOLD JACOB WOLF

IN 1975 I WAS THE FIRST OFFICIAL JEWISH GUEST INVITED TO the World Council of Churches, meeting in Nairobi, Kenya. I was permitted a few minutes to speak to the assembly. I reminded them only that their Lord was not born in Nairobi nor in Kansas City nor Berlin, but in the Land of Israel, as a son of my people. The Primate of Norway immediately intervened to deny my assertion. "No," said the Archbishop, "Jesus is born in the hearts of those who accept him as their Savior and only there."

The Jesus of history, the man who was born in Erets Yisrael and lived and died as a Jew is one (in Christian dogmatic theology) with the God who is beyond all limitations of time or space. A problem is how to reconcile the historical Jesus with the Christ of faith. Some have separated them entirely. Some have denied the human (Marcion) or the Divine (Unitarians). No one has completely united what is inherently incommensurate.

After the work of Albert Schweitzer at the turn of the century, bold attempts to discover the "real" Jesus of history were suspended, in the light of his proof that the gospels, as church documents, could only reveal the later Christ of the church. But in the 1950s the search was renewed, and now again the last decade has released a powerful desire to find out just who Jesus was. Inevitably, this brings the founder of Christianity (if, indeed, he was its founder) back to his Jewish roots. The historical Jesus turns out, not unexpectedly, to be Jewish through and through.

But is it possible to know anything for certain about that Jew of Nazareth? Or are we inevitably to get only another mirror image of ourselves, as Schweitzer predicted? Liberals see in Jesus a peasant revolutionary. Mystics find an eschatological seer. Christians Christianize their Jewish founder. We only get out what we put in. There seems to be no clear way back to the original Jesus of the first century in the Land of Israel.

A powerful example of the "peril of modernizing Jesus" (Cadbury) is to be found in a brilliant lecture delivered at the University of Arizona in 1995 by Susannah Heschel, "Transforming Jesus from Jew to Aryan: Protestant Theologians in Nazi Germany." Heschel shows that some of the most important New Testament scholars in Germany tried to prove that Jesus was racially not "Semitic" and ideologically the bitter enemy of "late" Judaism in its decadent form of the first century. They manipulated texts, transformed parables, reinterpreted the gospels to make them fit the Nazi view of a parasitic and dangerous Jewish religion and folk. No example could be imagined that proves more firmly that the Jesus we want is the Jesus we will get.

ARNOLD JACOB WOLF, a contributing editor, is Rabbi of K.A.M. Isaiah Israel Congregation in Chicago. A selection of his essays will be published in 1997. "The New Liturgies," which appeared in the Spring 1997 issue, renewed this regular feature of Judaism.

And yet . . . the Nazi Party did not buy the theologians' revisionary Jesus. They did not welcome the scholars into their hierarchy nor use the new image widely or cunningly. They simply did not, apparently, believe what these New Testament experts told them. They smelled a rat. They could not, or would not, believe that Jesus was a goy. That indicates that there are limits to misreading, that history will out, and that a fairly trustworthy image of Jesus can be unearthed by a scholarship that at least tries for objectivity, accuracy, and authenticity.

There is a consensus among the new searchers for the historical Jesus. They differ on many issues: How much of the gospel records Jesus's own words and deeds? How much of what Judaism did he know and practice? Which brand of the many varieties of Judaism did he prefer? But no one thinks of him as anything but a Jew, a "marginal Jew" as Meier claims perhaps, but a Jew nonetheless. A "Mediterranean Jewish peasant" maybe if Crossan is right, a charismatic, a magician according to Morton Smith, or God-knows-what-kind of Jew—but a Jew for sure. A Jew and nothing but a Jew. A Jew totally within his Jewish faith and his Jewish roots. A loyal, perhaps even a revolutionary Jew, but a Jew and not an Aryan, a Jew and not a Christian, a Jew and not a cipher or an enigma which can never be understood.

How, then, do we know which passages in the gospels reflect the words of Jesus? There are several criteria for authenticity that most of the new scholarship employs:

1. The criterion of dissimilarity. If a passage reflects neither a contemporaneous Jewish view nor the practice of the early church, then it probably is authentic. The compilers of the gospels would not invent something that reflected neither a Jewish nor a later Christian view.

2. In apparent contradiction, the criterion of compatibility with first century Judaism(s). Nothing that a first century Jew could not possibly have said or thought would Jesus have said or thought. How this fits in with the first criterion is difficult to say.

3. The criterion of multiple sources. If several evangelists (or Josephus) say the same thing, it is more likely to be the reflection of what Jesus did or said. Unfortunately, Josephus says very little about Jesus, and that little is contaminated by Christian interpolations.

4. The criterion of compatibility with what Jesus did. Jesus's actions may (or may not) authenticate what he said. Of course, we cannot be sure exactly what he did. Did he drive the money changers from the Temple? Did he die on the cross under Roman orders? Do these deeds justify the claim that he predicted the end of the Temple as he knew it, or the criminal's death that he would necessarily suffer?

5. The criterion of embarrassment. Nothing that would embarrass the writers is their own addition. If Jesus was said to be baptized by John, or said to have died an ignominious death, he probably did.

6. The criterion of translation. If the Greek text seems to be a translation from an original Aramaic (or Hebrew?) saying of Jesus, it is more likely to be accurate. If it is vivid, there is a presumption that it is no mere editorial addition to the text.

All of these criteria are relative, though none is useless. The historical Jesus can be recovered with a high degree of plausibility, but scholars will disagree on his nature.

For us Jews, the gospel narratives present a great many problems, not the least of which is a clear anti-Semitism, found especially in the stories of Jesus's trial and crucifixion, but also throughout the four gospels—animus against the Pharisees (which is to say the rabbis) and sometimes against the priests, the elders, or even the entire community of Jews. Is it possible to imagine that this anti-Jewish hostility was the true sentiment of Jesus of Nazareth, who was in every way a Jew? A marginal Jew, perhaps, a revolutionary Jew, as we have suggested, a dissenting Jew—but there were lots of dissenting Jews and they never became anti-Semites. All of the gospel narrators, the evangelists, were Jews, except perhaps for Luke. They were more or less committed Jews, Jews who knew the Hebrew Bible, and who knew the Jewish religion even when they held positions somewhat different from the version of that religion practiced by their co-religionists.

So the question of anti-Judaism remains, and it is impossible to resolve. Are the anti-Judaic, sometimes downright anti-Semitic, passages authentic to Jesus or not? We would tend to say “not.” The New Testament is a document of the gentile Roman Catholic Church of the second, third and fourth centuries, and that Church has clearly revised the teachings of Jesus and the early stories about Jesus in order to give the Romans the benefit of all doubts and to make the Jews who later “rejected” Jesus look bad.

On the Jewish side, there has been a great deal of simple avoidance. We didn't talk about Jesus. We didn't think much about Jesus. We had no official view of Jesus, except occasionally a perverted and negative one. I wonder whether this was prejudice or fear or revulsion, or, perhaps, even a kind of attraction. Jesus was saying the kind of things about the Jewish religion that a lot of Jews would like to say but can't get away with. So we don't think about Jesus, we don't talk about Jesus, but in our heart of hearts he seems to be our brother. Like many of us, he, too, is a dissenting Jew.

The conventional Jewish view is that Jesus was a fairly good Jew but Paul was an anti-Semite who created Christianity. The problem is that Paul was at least as Jewish as Jesus. He calls himself a Pharisee. Sanders and Stendahl, among others, have proved that the letters of Paul are typical Jewish documents of a few later centuries. Paul certainly was not less Jewish than Jesus. One cannot any longer say that he was the founder of Christianity, unless one realizes that somehow Jesus gave him a lead, an entering wedge for a new religion. Religions are not invented out of nowhere. Paul did not create the Jesus of the New Testament.

Many have tried to place Jesus in the community of the Dead Sea Scrolls, which most people believe to have been an Essene community. The Essenes were in some ways very like Jesus, and in some ways very different. Let me list the similarities and the differences, following Professor Charlesworth.

God was the same for the Essenes and for Jesus. They shared the Hebrew Scriptures as their guiding source. A possible fondness for certain books is particularly interesting. Jesus and the Qumran Scrolls both quote the prophet Isaiah over and over again, and never quote the book of Esther. They seem to have had similar tastes; some pieces of the tradition and not others were important to both of them. They both read the scriptures in an eschatological, Messianic way. The Hebrew Bible was not just a book to be studied, or a law to be obeyed. It was a plan for the future, a plan written in code. Both Jesus and the Essenes were suspicious of the Temple cult. They both shared possessions, exemplified celibacy, and condemned divorce. They

both reflect a mood of eschatological expectation, a new covenant for an old people. They breathed the same air of expectation, judgment and hope.

These similarities were striking enough to lead some of the early students of the Scrolls sometimes to identify Jesus with the Teacher of Righteousness and the early Christians with the (putatively) Essene community. But their dissimilarities are at least as important to an impartial observer. Jesus moved in entirely open circles of devotees and opponents while the Qumran community was almost hermetically sealed. They were committed to obey elaborate laws of purity; Jesus hardly credited even the common Jewish norms of purity. He was apparently a kind of missionary; his disciples clearly were, while the Essenes were uninterested in proselytes, since they believed the future lay with them in any case. He spoke in beautifully simple (though sometimes obscure) parables, they in a code, sealed with a thousand seals. They were hierarchical, authoritarian, reclusive. He was the founder of an open, welcoming community. They were predestinarian, basing themselves on an opaque, mystical interpretation of Scripture. He was attempting to open the Torah to existential relevance. Nor did the two agree on angelology, martyrdom, the Sabbath, the calendar or the resurrection of the dead, so far as we can tell.

It is difficult to place Jesus in any of the conventional streams of first century Judaism. He is said to have debated with the Pharisees, but these proto-rabbis themselves are understood in vastly different ways by modern scholars. Thus, for example, the recent *Encyclopedia of Religion*, published by the University of Chicago, has two separate articles on the Pharisees, reflecting the different views of Jacob Neusner and Ellis Rivkin—and neither of these views has won widely consensual support. Anyway, many have thought that Jesus himself was a kind of Pharisee, though it seems to me better to think of him as an *Am-haarets*, a peasant with a genius for religion.

In what way was Jesus unique, or, at least, unusual?

He practiced celibacy and had no family nor did most of his apostles. He took a hard line on divorce, absolutely forbidding it, according to one source. He ignored the strictures on personal purity and went out to lepers and outcasts. He fraternized with sinners and apparently did not require repentance before admitting them to fellowship. He assumed a kind of personal authority that classical Judaism believed had given way to collegiality and debate among Rabbinic authorities. Thus, for example, he revised Sabbath legislation according to his own interpretation of Scripture.

He was said to have healed the sick and (like Elijah and Elisha in earlier times) to have resurrected the dead and given hope to many. It is far from clear whether or not he believed himself to be the promised Messiah, but if he did, he would not be the first Jew (or the last) to claim the title. All of these add up to the image of a somewhat unusual first-century Jew, but clearly one within the bounds of the possible.

The community around Jesus was necessarily stunned by his death, as the Habad Hasidim were by the death of the late Rebbe, who had also given them signs of his own Messiahship. The Nazarenes (or Ebionites) were left with narratives of his life and teaching in a community that had, perhaps loosely, surrounded him. At some time in the first century, they also began to believe that Jesus himself was present among them, and at that point they began to divide from what we used to

call (after George Foot Moore) “normative Judaism.” A resurrected Messiah is not in the scenario of any Judaism we know until Habad in this decade. But it was probably practice rather than theology that separated the Jewish Christians from their parent community. It was the introduction of uncircumcised non-Jews into the Christian church that finally solidified the separation.

Jews, as I said, have largely ignored Jesus. We have not felt compelled to explain why we “rejected” his claim or why we dissent from Christian views of human nature, Torah as Law or the centrality of ethical performance. Some Jews have vilified Jesus (the Toldot Yeshu of the Middle Ages) or disputed that he was predicted by the Prophets or by the sages (in public disputations). Even the anti-rabbinic Karaites polemicized against Christian claims.

Liberal Jews often were the most insistent critics of Christianity, clearly because it could only be theological principles rather than halakhic practice that alienated them from the Church. Otherwise, Jesus as a non-halakhic Jew would have been too close to reformers for comfort. In this century, Joseph Klausner, a secular Zionist whose major field was modern Hebrew literature, wrote pioneering books on the historical Jesus and Paul from a Jewish perspective, books that have fallen into disuse, though successors have arisen in Israel and in the United States to take up a comparative analysis of Jesus in his own time and place. Claude Montefiore’s beautiful studies of the gospels have also seen their day, like the Strack-Billerbeck side-by-side comparisons of the New Testament and later rabbinic sources. Martin Buber’s brave attempt, in “Two Types of Faith,” to salute a Jewish Jesus but to blame Paul for substituting Greek “pistis” (creedal affirmation) for Jewish “emunah” (religious trust) has not captured scholarly consensus either and is deeply resented by many Christians who otherwise respect Buber’s religious philosophy.

In an earlier essay on “Jesus and the Jews” published in this journal in the summer of 1993, I concluded my study with a translation of the Alenu prayer which climaxes the Jewish worship service. I finish this conspectus by quoting an earlier and more polemical version of the same prayer, one that censorship later softened, but that shows the bitter rejection of Christianity that our predecessors often felt, in the wake of the church’s persecution and calumny. Here is Kaufmann Kohler’s translation of that pugnaciously monotheistic text:

It is incumbent upon us to give praise to the Lord of the Universe, to glorify Him who formed creation, for He hath not made us to be like the nations of the lands, nor hath He made us like the families of the earth; He hath not set our portion with theirs, nor our lot with their multitude; . . . for they prostrate themselves before vanity and folly, and pray to a god who can not help. . . . But we bend the knee and prostrate ourselves and bow down before the King of the Kings of Kings, the Holy One, blessed be He! For it is He who stretched forth the heavens and laid the foundations of the earth, and the seat of His glory is in the heavens above, and His mighty dwelling-place (Shekinah) is in the loftiest heights. “He is our God, and there is none other.” In truth, He is our King, there is none besides Him, as it is written in His Torah: “And thou shalt know this day and lay it to thine heart that the Lord is God in heaven above and upon the earth beneath: and there is none other.”

Therefore do we wait for Thee, O Lord our God, soon to behold Thy mighty glory, when Thou wilt remove the abominations from the earth, and idols shall be exterminated; when the world shall be regenerated by the kingdom of the Almighty, and all the children of flesh invoke Thy name; when all the wicked of the earth, and idols shall be exterminated; when the world shall be regenerated by the kingdom of the Almighty, and all the children of flesh invoke Thy name; when all the wicked of the earth shall be turned unto Thee. Then shall all the inhabitants of the world perceive and confess that unto Thee every knee must bend, and every tongue be sworn. Before Thee, O Lord our God, shall they kneel and fall down, and unto Thy glorious name give honor. So will they accept the yoke of Thy kingdom, and Thou shalt be King over them speedily forever and aye. For Thine is the kingdom, and to all eternity Thou wilt reign in glory, as it is written in Thy Torah: "The Lord shall reign forever and aye." And it is also said: "And the Lord shall be King over all the earth; on that day the Lord shall be One and His name be One."

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Marcus Borg, *Jesus, a New Vision* (San Francisco: Harper & Row, 1987).

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John Meier, *A Marginal Jew I* (New York: Doubleday, 1991) and *A Marginal Jew II* (New York: Doubleday, 1994).

Meier has written the best "biography" of Jesus that we have: cautious, learned, critical and equal to its goals. He has completed two volumes thus far.

Jacob Neusner, *A Rabbi Talks with Jesus* (New York: Doubleday, 1993).

Neusner claims he wrote this book in a week (after a good deal of thinking), and I believe him.

Ellis Rivkin, *What Crucified Jesus?* (Nashville: Abingdon, 1984).

A Jewish scholar accuses the Roman imperial system of killing Jesus.

E. P. Sanders, *The Historical Figure of Jesus* (London/New York: Penguin, 1993).

E. P. Sanders, *Jesus and Judaism* (Philadelphia: Fortress, 1985).

Sanders has written the most important works on the life and teaching of Jesus published in recent years.

Geza Vermes, *Jesus the Jew: A Historian's Reading of the Gospels* (New York: Macmillan, 1974, 1981).

Geza Vermes, *Jesus and the World of Judaism* (Philadelphia: Fortress, 1984).

Two very fine attempts by a Jewish scholar to locate Jesus firmly in his Jewish environment.

TO THE EDITOR OF JUDAISM:

I gather from the conclusion of her essay ("Nationalism, the Jews, and Art History," *Judaism*, Fall 1996) that Margaret Olin has found a voice with which she is comfortable; she has adapted her formalist nineteenth-century historian's view to a '90s post-structuralist perspective—she ventures to "speak as a Jew." This is the era, after all, of multiculturalism and pluralism. It's okay for the author to engender a first person perspective.

It seems to me that this essay was inspired by Olin's desire to refute the structure of her formalist academic training—it is an apology for the anti-Semitism of her profession and a gesture to put herself in stride with contemporary criticism, to get with the times. What is at question is not that anti-Semitism has been prevalent throughout art history; it is well understood that the "canons of high art" were established in nineteenth-century German culture. Art historians like Burckhardt and Wolfflin defined the language and criteria of art history as we know it today. Their emphasis was to classify art by nation and race—hence the facility with which Jewish art was excluded. According to their perspective Jewish art was at best relegated a minor position as a sub-category of "Orientalism." Implicit in their rationale was the suggestion of the ascendancy of German art and culture, a nationalistic art. To this day the academic tradition of art history is still principally taught using the nineteenth-century model.

Olin then proceeds to describe transitions in twentieth-century art. Figures such as Bernard Berenson regarded his contemporary Jewish artists as "imitators." Later, critics like Clement Greenberg espouse a form of "universalism" in which Jews are allowed to play an active part; there was room in this new aesthetic for abstract art, conceptual art, formalist, minimalist, and non-objective painting. Jews enjoyed favor with this trend, the implication being that because it was not figurative, Jewish artists did not violate the proscription against the graven image. But Olin finally dismisses Greenberg's abhorrence of the "hybrid" in

art and his fear of miscegenation on the grounds that when taken to an extreme these notions are dangerous; she warns against "purity" and the dangers of exclusion invoked by canons of "universalism."

The author's success is in pointing out the anti-Semitism characteristic of the nineteenth-century art historians. And she successfully brings us to the present by praising today's deconstructionist emphasis on context and the hybrid nature of style. Likewise she accepts post-modernity for its inclusion of multiculturalism.

In responding to this essay, however, I am reminded that I am an artist and not an art historian (and here too I invoke the first person). Her language and form initially reveal a flaw in such essays: the objectivity of her voice is nineteenth century. But she circumvents this, ultimately, by adopting the art historian's fifth amendment, relativism, which maintains in an art historical context that all art is equally valid, that context levels the playing field.

But it was never equal. Jews have been excluded from "art history" by a combination of factors, internal and external—internally by the commandment against making graven images and externally by the anti-Semitic inventors of the art historical scholastic language. To deny these factors limits her discourse. Jews did not paint much. Exceptions in antiquity, such as the wall paintings of Dura-Europas, are just that—exceptions. Painting in the Judeo-Christian context was invented by Christians who sought to illustrate their stories to illiterate pilgrims. Does the author want to deny this? Is she suggesting that Jews have contributed as much to the development of a figurative language in painting as those not of the Jewish faith? Like it or not, the autonomy of the artist in a secular world is a modern phenomenon. Prior to this, most arts only served to illustrate whatever power structures were in place and these were rarely Jewish. Jews were intentionally kept out of the mainstream aesthetic loop. I fear that I would fall into the category of the "self-hating Jew" according to the author, like Berenson, who denies a significant Jewish contribution to the early history of painting.

Contributions of “assimilated artists” in the late nineteenth and twentieth centuries were exceptional. The author does not rush to the defense of Pissarro or Modigliani, just as she is forthright in negating the accomplishments of conceptual and abstract artists of this century; by attacking Greenberg and his ideas of the “pure” she denies another entire genre of art. Inherent in such dismissals is there not the suggestion that Jewish Art must address, both stylistically and iconographically, Jewish themes? And if this is the case would not such an art run the same risk that Greenberg’s “purity” paradigm entails? An art of this order would be deemed propagandistic.

A thorough study of Jewish art must accept the limiting factors placed on the history of Jewish Art, not simply that Jewish Art has been overlooked. If Olin seeks to redefine terms of form and context, and in doing so dismantle the pedagogy of an anti-Semitic academy, she should do so—and relegate the focus of her studies to the decorative and architectural. By examining the history of Western visual arts and contextualizing it as a social and political tool in maintaining primacy of church and state, she would provide a more objective criterion with which to discuss form. Jewish decorative arts throughout Moorish Spain, Africa, and the Middle East are stunning. Religious and monumental architecture stand as testimony to great aesthetic achievement. Olin would do well to ignore the legacy of nineteenth-century art history in which she still is firmly rooted and relieve herself from biases against decorative arts and architecture, as well as reconsider her attitude toward “assimilated artists,” to focus on an art of inclusion.

ANTONIO SINDORF
San Francisco, California

MARGARET OLIN replies:

I appreciate Antonio Sindorf’s very thoughtful response to my essay. I think we are possibly in substantial agreement about most of the issues he raises. But he has certainly caught me in some unclarities and I welcome the opportunity to try to rectify

them. I ask his forgiveness if I misunderstand him in some respects. I am sorry he found my voice objective in a nineteenth century sense; I do not believe I resorted to “relativism to try to circumvent this. I am also mystified that he finds in my work “biases against decorative arts and architecture.” Decorative arts and architecture were central to my first book and several articles, and still play a major role in my teaching and thinking.

But I think the main source of the misunderstanding lies elsewhere. My essay treats Clement Greenberg rather summarily, I fear. I quote Mr. Sindorf: “by attacking Greenberg and his ideas of the ‘pure’ she denies another entire genre of art.” In response, I must say that I would be very disappointed to have anyone think that by addressing the content of Greenberg’s theory of the “pure” I intend in any way to attack the artists he discussed or the genre of art in which they worked. My analysis of Greenberg was not intended as an attack on abstract art. The book that emerged from the dissertation I mentioned in my article, *Forms of Representation in Alois Riegl’s Theory of Art* (College Park: Penn State University Press, 1992), seeks to look at formal criticism in another light, finding its source in a concern for representation. A love for abstraction does not require acceptance of Clement Greenberg as its one and only spokesperson. Actually, I don’t think of my essay precisely as an attack on Greenberg, whom I have had an opportunity to consider at greater length elsewhere. Anyone interested can read my essay, “C[lement] Hardesh (Greenberg) and Company: Formal Criticism and Jewish Identity,” in *Too Jewish? Challenging Traditional Identities*, ed. Norman L. Kleeblatt (New Brunswick, NJ: Rutgers University Press, 1996), pp. 39–59. I think it is fascinating how Greenberg tried to reconcile his own contradictory impulses, and I respect him for the effort.

Greenberg, like most of his contemporaries, was mired in nationalistic categories; that is why it was so important for him to distinguish his painters in terms of their Frenchness, Americanness, Mediterranean or provincial Eastern European back-

grounds. The categories into which nationalist thinkers on art wish to divide artists do not generally pose Jewish against Christian artists, as one might expect. Rather, "Jewish" art is opposed to German, French, or American, without considering that Jews were also German, French, and American. That is why scholars end up tangled in arguments about who was first or added most to what, when the fact is that Jews decorated as many Haggadot as circumstances allowed, while Christians were busy decorating lectionaries. They also took some opportunities (I don't know how many) to learn from one another. Discussions about the reciprocal connections between Jewish art as exemplified by the Synagogue of Dura Europos and Early Christian art make this reciprocity apparent. Greenberg's understandable fear, however, was that to see Jews as Jews would entail not seeing them as Americans. And that could only be bad, perhaps dangerous, for Jews.

Mr. Sindorf writes: "Inherent in such dismissals is there not the suggestion that Jewish Art must address, both stylistically and iconographically, Jewish themes?" My short answer is no. There does not have to be a "Jewish Art." There does not have to be a German art. There does not have to be an American art. We do not have to divide art into such categories. Art can address a variety of overlapping, multiple concerns, some of which might have to do with religion, with languages of art, or with power and its exercise. The art of a painter like Barnett Newman, to give just one example, could be, and has been, addressed from all these points of view. Mr. Sindorf: "An art of this [prescriptively Jewish] order would be deemed propagandistic." It certainly would!

Mr. Sindorf again: "Is she suggesting that Jews have contributed as much to the development of a figurative language in painting as those not of the Jewish faith?" Of course not. Nor has almost any other

minority group. I think Mr. Sindorf answered that question himself. I quote: "Most arts only served to illustrate whatever power structures were in place and these were rarely Jewish." I have only to add that the "figurative language" in painting to which Mr. Sindorf refers was developed by and for such power structures, to explain why Jews [and women, etc.] have contributed little to it. To the extent that art has changed, the reason is that power structures have changed.

This latter comment of Mr. Sindorf is the one that leads to my surmise that he and I are essentially fighting the same battle, even if we do not agree about Clement Greenberg's specific critical judgments.

My essay is not just about Jewish art, but about nationalism in art history as it has been passed on in the field and, as Mr. Sindorf notes, still dominates it. I am particularly interested in the ways in which even people who are trying to escape from nationalist modes of thinking still fall into them, and in ways in which a deeply ingrained nationalist discourse can be subverted. Essentially I would like to argue that the art of people who are Jewish, including artists of ancient Israel, was "Jewish art" only because it could be cited to create the typology known as "Jewish art." The examination of this typology, which I could only begin to sketch, exemplifies the role taken by nationalism in the way art historians and critics form "ideas" about art, such as the idea of Jewish art.

The question as to how "Jewish art" should be studied, which Mr. Sindorf raises, assumes the national structure I am trying to question. Therefore his concerns comprise part of the material that I am interrogating. His suggestions about which works (decorative and monumental) should be studied under the heading of "Jewish art" are interesting to me primarily because they are answers to questions that the structure of art history forces us to ask.

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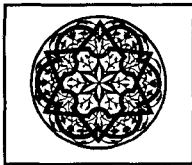
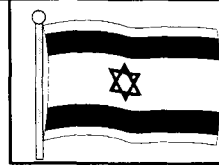
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JUDAISM

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*Daniel J. Elazar,
The Future of Jewish Values in Israel*

SUMMER 1997